2018-19 Rights & Responsibilities
Full Handbook
For Students, Parents/Guardians and Staff

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Board of Education:
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Jeanelle Foster, Clerk | Jon Schumacher, Treasurer
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Superintendent: Dr. Joe Gothard
Dear families:

**We welcome your children to our schools,** and we want them to have the best possible learning experience. To make sure this happens, all of us -- students, teachers, families and community -- need to work together.

**We seek your collaboration in educating your child.** We ask you to talk with your students about the rights they are guaranteed when they’re at school, and the responsibilities that go along with those rights. Both are summarized in this handbook, along with information about the district’s work to create positive schools and respond to behavior that is not appropriate.

**I value your decision to enroll your students in SPPS.** Please know that our staff strives to create calm, affirming schools where every student is *seen, known and understood* as an individual.

**I hope to meet you in the months ahead.** I wish your family all the best for a great year in Saint Paul Public Schools.

In partnership,

Dr. Joe Gothard
Superintendent

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**Foreword**

This handbook is a guide to student behavior. The Saint Paul Public Schools (SPPS) Board of Education creates and adopts policies to guide the actions of everyone in the district. The Superintendent develops procedures to show how these policies will be implemented in SPPS. Principals and program administrators can then add further guidelines necessary for their students, staff and community. Teachers and other staff then work with students to set and follow the expectations for how they will work together in each classroom. Adult staff members are held to high standards of behavior and are subject to all applicable laws, Board of Education policies, and Human Resources’ rules and practices.

The guidelines and regulations regarding student behavior and discipline in this handbook fulfill the Board of Education’s policies as stated in SPPS Board Policies 506.00, 506.02 and 506.03, and Minn. Stat. § 121A.55(a). This handbook applies to incidents and situations that occur on any property owned or controlled by SPPS or occurring in connection with any activity sponsored by or associated with SPPS. This handbook may also apply to incidents involving SPPS students if an unapproved connection or association to SPPS or its staff is explicitly or implicitly stated or inferred (for example, hazing).

If you have questions about anything you read here, please contact your child’s teacher or principal. To review the entire handbook online, visit [spps.org/rights_and_responsibilities](http://spps.org/rights_and_responsibilities).

Persons with visual impairments may request a copy of this summary in an alternate format, such as large print, audio recording, etc. Contact the Office of Communications, Marketing & Development at 651-767-8110.

**If you would like to receive this information in another language, please contact your school.**

- Haddii aad jeclaan lahayd inaad heshid warkan oo ku qoran Af-Soomaali, fadlan la xiriir iskuulkaaga.
- Yog koj xav tau cov ntaub ntawv no ua lus Hmoob, thov tiv tauj koj lub tsev kawm ntawv.
- Si usted desea recibir esta información en español, por favor contáctese con su escuela.
- පුලිවරුන් තේක්කොට බල්ලම් කොරුම් විසින් අංගීකාරයක්, ගැනීමකට ප්‍රශ්නය කරන අතරින් අනිවාර්ය අදහස්.

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## Shared responsibilities

### Increasing Respect, Responsibility and Safety

Saint Paul Public Schools (SPPS) strives to create a safe and welcoming place for all students. All of us help create this positive and respectful learning environment. While each school’s approach may differ in details, the table below offers a summary of the responsibilities we share to create a positive school and district culture:

<table>
<thead>
<tr>
<th>Students</th>
<th>Parents/Guardians</th>
<th>All SPPS Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Believe that you have the capacity to be your best self and achieve your hopes and dreams.</td>
<td>Believe your child has the capacity to be their best self and achieve their hopes and dreams.</td>
<td>Believe staff have the capacity to support students in being their best selves and achieving their hopes and dreams.</td>
</tr>
<tr>
<td>Build and maintain positive relationships with all staff. Have a go-to adult in the building.</td>
<td>Build and maintain a positive relationship with staff at the school.</td>
<td>Build and maintain positive relationships with all students and their families.</td>
</tr>
<tr>
<td>Respect yourself, the learning environment, other students, their parents/guardians, families and all staff.</td>
<td>Respect and support the learning environment and emphasize the importance of being prepared for school.</td>
<td>Develop a learning community and a respectful environment that supports social-emotional and academic success.</td>
</tr>
<tr>
<td>Ask for and accept help when you need assistance.</td>
<td>Ask for help when you need assistance. Advocate for your child through regular communication with school staff.</td>
<td>Regularly communicate with students and families. Support them when they ask for assistance.</td>
</tr>
<tr>
<td>Go to school every day on time, ready to learn and give your best effort.</td>
<td>Make sure your child arrives at school every day on time and prepared to learn.</td>
<td>Create a welcoming environment. Have high expectations for all students.</td>
</tr>
<tr>
<td>Learn and follow school expectations and procedures.</td>
<td>Learn and talk with your child about the expectations and procedures at their school.</td>
<td>Teach, model and reinforce school expectations and procedures. Follow the school-wide discipline plan.</td>
</tr>
<tr>
<td>Use technology and equipment in a responsible way.</td>
<td>Review the technology agreement with your child.</td>
<td>Tailor instruction for student voice and choice within a technology rich learning environment.</td>
</tr>
<tr>
<td>Personalize your learning by bringing your creativity to your assignments.</td>
<td>Encourage your child’s passion to learn and grow toward their own goals for college and career.</td>
<td>Provide personalized, engaging and academically appropriate instruction, including culturally responsive teaching that represents and invites students’ identities.</td>
</tr>
<tr>
<td>Conduct yourself in a manner to ensure your safety and the safety of others.</td>
<td>Contact your child’s school if you observe or are aware of potentially unsafe activities or conditions.</td>
<td>Create and monitor safe conditions in the school environment.</td>
</tr>
</tbody>
</table>
Positive School Culture
Saint Paul Public Schools recognizes the importance of positive school culture and providing quality supports to students and staff across the district. In addition to administrators, teachers, and other school staff, School Social Workers, Counselors, Psychologists, and Nurses provide guidance to support students and remove barriers to learning. A positive district and school culture is vital for SPPS to provide a premier education for all. Below is a summary of the proactive approach used to create a welcoming environment and positive culture.

Positive Behavioral Interventions and Supports (PBIS): A Framework for All Schools

Positive Behavioral Interventions and Supports (PBIS) is an educational, preventive, and restorative approach to behavior. This approach helps schools create and sustain effective and culturally-inclusive environments that support academic and social success for all students. All Saint Paul Public Schools use PBIS to teach school-wide expectations to all students and recognize students who meet those expectations. Small group and individualized supports are also provided in this approach.

Within each school, the following systems and practices are foundational to PBIS implementation:

- Each school creates clear and consistent expectations school-wide and in the classroom to promote positive behavior. These expectations, which reflect the school community and culture, are defined, taught, modeled, reinforced and (when necessary) retaught.
- Schools collect and use data (student and staff) to guide how they teach and reinforce the expectations for individual students, groups of students, whole classrooms and school-wide. Data is also used to identify students in need of additional support and match them to the appropriate level of intervention and support.
- Each school continually refines its systems and practices across three tiers as needs change. The goal is to provide positive and equitable behavioral, social, and academic outcomes for all students.

Each school designs its own three-tiered system:

Tier 1: **All** students learn the behavior expectations at school. Staff members teach, model and reinforce these expectations throughout the school year.

Tier 2: **Some** students receive small-group interventions to practice the behavior taught in Tier 1.

Tier 3: **A few** students receive individualized interventions and support

At each tier, students learn and practice the social-emotional and behavioral skills they need to do well in school and throughout their lives. Supports provided at each tier involve the integration and alignment of practices, programs and supports listed below. Learn more at spps.org/pbis.
## Restorative Practices
Restorative Practices are ways for a school community to build relationships, problem solve and learn. In this approach, relationships are the most important way we learn about the world and ourselves. Some sites are implementing Restorative Practices school-wide as a way to proactively build community among stakeholders and to use restorative ways to repair harm, when needed. A Restorative Practice school and community believe:

- Everyone in the school community is good, wise, and powerful.
- We are all connected to one another.
- All of us want to be in good, healthy relationships with others.
- We all have talents and gifts we bring to school.
- It takes time, habits and support to build and maintain positive relationships.

In addition to the Restorative Practice sites, many schools are seeking to use restorative approaches. Learn more at spps.org/restorativepractices.

## Social-Emotional Learning
Social and Emotional Learning is how children and adults learn how to manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions. Departments across the district work collaboratively to support social-emotional learning. A school may choose to implement a specific Social-Emotional Learning program(s) to support academic and social success. Learn more at spps.org/schoolclimate.

## Mental Health and Wellness
Mental Health and Wellness refers to the continuum of emotional supports available to students and staff. These supports strive to create a safe learning environment, maximize collaboration between students and adults, provide students with choices, create trusting relationships, and empower students to do their best. Learn more at spps.org/schoolclimate.
### Student Rights and Responsibilities

Students who attend SPPS have various rights and opportunities. Students also have responsibilities to teachers, other staff and fellow students. Students have other rights guaranteed by the Constitution and by state and local laws. The rights and responsibilities in this summary are not all-inclusive and do not cover every situation that may arise. This section describes student rights, opportunities and responsibilities in SPPS.

#### Access to Records

**Rights/Opportunities**
- Students’ parents/guardians and eligible students under federal law generally have the right to view their school records according to state and federal laws.
- Students have the right to privacy regarding their school records. Any disclosure of information from student records will be consistent with legal requirements and policy established by the school district.

**Responsibilities**
- Eligible students are responsible for following established building and district procedures regarding access to their school records.

#### Attendance and Tardiness

**Rights/Opportunities**
- Eligible resident students have the right to a free public education according to state and federal law.
- Absence or tardiness of students because of religious holidays and observances shall be recorded as excused absences or tardiness at the written request of the parent/guardian. For more details, see Board Policy 503 at spps.org/boardpolicies.

**Responsibilities**
- Students and parents/guardians are responsible for following the school’s attendance and tardiness rules and procedures.
- Students and parents/guardians are responsible for notifying the school (e.g., a written note, phone call) before an absence or upon returning to school after an absence.
- Students are responsible for obtaining a pass from a staff person when late for class or if there is a need to leave class.
- Students and parents/guardians are responsible for notifying the school if the student must leave during the school day. For more details, see Board Policy 503.03 at spps.org/boardpolicies.

#### Equal Opportunity

**Rights/Opportunities**
- Students have the right of equal opportunity, as allowed by law, to participate in all school activities and school education programs for which they are eligible.

**Responsibilities**
- Students are responsible for following the rules and procedures of the school-sponsored activity in which they, or others, participate. Students may not discourage the participation of other students.
## Fair Treatment

### Rights/Opportunities
- Students have the right to due process, as defined in the Minnesota Pupil Fair Dismissal Act, when involved in a violation of district rules. Included is the opportunity to hear the nature of the violation and to give their account of the situation.
- Students have the right to be informed of all applicable classroom and school rules, expectations and procedures.
- Students have the right to be treated respectfully by district employees and other students.
- Students have the right to be free from unreasonable physical contact from teachers and other students. Reasonable force by staff to restrain or correct a student from injuring self, other persons, or property, however, is allowable.

### Responsibilities
- Students are responsible for responding to all directions or questions from staff and for following all laws, policies, rules and expectations that apply to them.
- Students are responsible for knowing and following all applicable classroom rules, expectations, and procedures.
- Students are responsible for treating all persons respectfully.
- Students are responsible for respecting the space and freedom of those around them.
- Students are expected to treat the property of others and the district responsibly.
- Students are responsible for refraining from using force or physical contact to inflict harm on another.
- Students are also responsible for not engaging in conduct that threatens to physically or mentally injure themselves, other persons or property.

## Free Speech and Expression

### Rights/Opportunities
- Students have the right to free speech so long as their speech does not violate the rights of others.

### Responsibilities
- Students are responsible for expressing opinions, publishing written materials and distributing literature in such a manner that is not libelous, obscene, discriminatory or sexually explicit; that does not contain references to alcohol, chemicals, tobacco, or other products that are illegal for use by minors; that does not interfere with the rights of others; that does not disrupt the atmosphere of learning in the school; and that follows school rules and procedures regarding time, place and manner.
- Permission of the school principal is required for distribution or posting of written materials.

## Gender Identity

### Rights/Opportunities
- Students have the right to be identified by their name, pronoun, and asserted gender in school records, learning spaces, facilities, and extracurricular activities consistent with Board Policy and procedures. For more information see Board Policy 500 and procedure 500.00.01 at spps.org/boardpolicies.

### Responsibilities
- Students must communicate with school staff if their school records are not reflective of their name, pronoun, and/or gender identity.
- School record name and/or gender changes connected to gender identity require submitting updates to the placement office in accordance with Board procedures.
## Learning and Academic Work

### Rights/Opportunities
- Students have the right to attend school and gain an education as provided by law. Attendance at a particular school is a privilege, not a right. For more details, see Minn. Stat. § 120A.36 at revisor.mn.gov/statutes.
- Students have the right to attend school in a safe environment that is free from disruptive behavior by others. Students have the right to experience learning opportunities that reflect their cultural experiences in a non-racist, non-sex-biased, gender and disability fair manner. For more information see Board Policy 602.01 at spps.org/boardpolicies.
- Students have the right to make up school work missed during any excused absence.
- When absent for an extended period, students have the right to necessary home/hospital instruction as regulated by state guidelines.

### Responsibilities
- Students are responsible for daily attendance, for completing class assignments on time, and for bringing appropriate materials required for class use.
- Students are responsible for behaving in such a manner that supports learning for all, does not pose a potential or actual danger to themselves or others, and is not disruptive to the learning process for others.
- Students are responsible for respecting the cultural experiences shared by their peers.
- Students are responsible for obtaining and completing make-up work assigned for periods of absence.

## Medications

### Rights/Opportunities
- Students have the right to receive medications and medical procedures that must be administered during the school day in order for a student to attend school.

### Responsibilities
- Families are responsible to communicate with the school nurse or other school staff about changes in medications or medical procedures when they must be administered during the school day.
- Students are responsible for cooperating with school staff regarding medications and medical procedures to be administered during the school day.

## Non-Discrimination/Harassment-Free Environment

### Rights/Opportunities
- Students have the right to a learning environment free from discrimination, harassment and violence based on an individual’s race, creed, sex, marital status, national origin, age, color, religion, ancestry, status with respect to public assistance, sexual or affectional orientation, gender identity and expression, or disability. For more details, see Board Policy 101 & 102, Board Policy 415 and Board Policy 500 at spps.org/boardpolicies.
- Students have a right not to be retaliated against for making good faith reports of discrimination, harassment, or violence.

### Responsibilities
- Students are responsible for treating other students and district employees respectfully and in a manner that does not discriminate or harass an individual based on protected class.
- Students are responsible for reporting to staff (i.e., teacher or principal) incidents of bullying, discrimination, harassment, violence or retaliation that they have experienced or of which they are aware.
## Personal Property and Privacy

### Rights/Opportunities
- Students generally have a right of privacy in their persons and in their personal property on school district property and at school-sponsored or -associated events.
- According to Minnesota law, students have the right to use school-owned property (e.g., lockers, desks, iPads) for storing appropriate items of personal property with the understanding that all school-owned property is within the exclusive control of the school district and may be searched by school authorities for any reason, at any time, without permission, consent or requirement for a search warrant. For more details, see Minn. Stat. § 121A.72, subd. 1 at revisor.mn.gov/statutes.

### Responsibilities
- Students must not bring onto school district property, or to school-sponsored or -associated events, any item or material that violates school district policy, school rules, or state or federal law, or that would cause, or tend to cause, a disruption or endanger the health or safety of students or other people. Items prohibited include, but are not limited to, stolen goods, weapons and lookalike weapons, and other illegal items.
- When reasonable suspicion exists to believe a student possesses prohibited items or that a search will uncover evidence of a violation of a school rule or of the law, school officials may conduct a reasonable search of a student’s person or property.
- Students are responsible for keeping their lockers/desks in good condition and free of any items that are illegal or prohibited.
- The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student’s personal possessions, the school authorities must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials. For more details, see Minn. Stat. § 121A.72, subd. 1 at revisor.mn.gov/statutes.

## Pledge of Allegiance

### Rights/Opportunities
- Minnesota law requires all public schools to provide students the opportunity to recite the Pledge of Allegiance at least once a week (unless the School Board votes to waive this requirement).

### Responsibilities
- Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so, and students must respect another person’s right to make that choice. For more details, see Minn. Stat. § 121A.11, subd. 3(b) at revisor.mn.gov/statutes.

## Police Interviews

### Rights/Opportunities
- Students have the right to be free from interview or interrogation by private parties, such as attorneys and private investigators, during the school day.
- Students have the right to be free from interview or interrogation during the school day by the Saint Paul Police Department unless the student’s building administration determines it is unwise or unsatisfactory for the Saint Paul Police Department to contact the student outside of school.
- When interviewed during the school day by the Saint Paul Police Department, students have the right to be interviewed in private and with confidentiality and in the presence of the student’s principal or the principal’s designee, without interruption and without observance by other school personnel or students. For more details, see Board Policy 506.05.01 at spps.org/boardpolicies.
### Student Dress

**Rights/Opportunities**
- Students have the right to choose their manner of dress and personal grooming unless it presents a clear danger to the student’s health or safety, causes an interference with school work or creates classroom or school disorder.

**Responsibilities**
- Students are responsible for wearing clothes that are appropriate for school. To maintain a safe learning environment, student dress cannot be a health and/or safety hazard, obscene, sexually explicit or discriminatory. Clothing that displays words or images that communicate a message that is racist, sexist, or otherwise derogatory is not permitted. Clothing that displays references to alcohol, chemicals, tobacco or other products that are illegal for use by minors is not permitted.
- Students are responsible for abiding by the school principal’s mandated minimum standards of cleanliness and neatness. Students who attend schools that have adopted a school uniform requirement must follow the school’s uniform requirement. For more details, see Board Policy 501.03 and Board Policy 501.04 at spps.org/boardpolicies.

### Student Government

**Rights/Opportunities**
- Students have the opportunity to form and participate in student government that is open to all members of the student body being represented. The purpose of the existence of student government is to represent and to be responsive to the needs of all students.

**Responsibilities**
- Students are responsible, when forming a student government, for establishing purposeful governing rules. The student government is responsible for communicating with the student body, faculty and administration, and for being aware of and complying with any school district policies affecting the student government procedures.

### Technology Usage and Safety

**Rights/Opportunities**
- Students have the opportunity to access a variety of district technology resources in support of personalized learning.

**Responsibilities**
- Students are responsible for using the district technology resources, including iPads, properly and following all district and school rules and procedures.
- Students are responsible for respecting the privacy of other users, and not intentionally seeking information on, obtaining copies of, or modifying files, other data or passwords belonging to other users without permission.
- Students are responsible for maintaining the security of the district technology resources and recognizing and honoring the intellectual property rights of others.
- Students are responsible for immediately disclosing inadvertent access of unacceptable materials or an unacceptable Internet site to an appropriate school district administrator.
- Students are responsible for using the district technology resources without making changes to device operating systems and security profiles or installing any apps other than those authorized by Saint Paul Public Schools.
- Students are responsible for ensuring that any digital content on district technology resources is school-appropriate.
- Unacceptable use of district technology resources, including e-mail and the Internet, may result in one or more of the following consequences: suspension or cancellation of use or access privileges, discipline under applicable district policies and procedures, or civil or criminal liability under applicable laws. For more details, see Board Policy 520 at spps.org/boardpolicies.
## Transportation

### Rights/Opportunities
- When riding a school bus or van to or from school, a student has the right to a safe ride that is free from intimidation, threat, or harassment. [www.spps.org/Page/24212](http://www.spps.org/Page/24212).
- Parents/Guardians and students have the right to be informed that transportation service is a privilege that is granted to a student contingent upon appropriate behavior. In accordance with Minnesota Statute § 121A.59, transportation is a privilege, not a right, for eligible students.

### Responsibilities
- Students are responsible to adhere to the expected behaviors, set by the Board of Education, while on the school bus and while in school bus loading and unloading areas. Problem behaviors occurring on the school bus will be managed in accordance with the Rights & Responsibilities Student Handbook. For more details, see Board Policy 707.02 at [spps.org/boardpolicies](http://spps.org/boardpolicies) or [spps.org/transportation](http://spps.org/transportation).
- Parents/Guardians of transported students are responsible for supervising their children until their children board the school bus in the morning and after their children leave the bus at the end of the school day.
- Students who are involved in serious or repeated incidents of unacceptable student conduct on the school bus or at the school bus stop may have their riding privileges suspended or revoked, including bus transportation for field trips.
- The parent or guardian of a student suspended from transportation is responsible for ensuring that the student travels safely to and from school and that the student arrives to school on time.
- Bus drivers and school staff are responsible to teach, model and reinforce positive behavioral expectations to all students.
- Students who attend schools that offer a Go-To Card Student Pass for use on Metro Transit are responsible for adhering to a code of conduct, which they must sign in order to receive a Go-To Pass. Violation of the code of conduct or repeated unexcused absences may result in restriction, deactivation or suspension of a student’s Go-To Card Student Pass.
Standards of Student Behavior
A safe and positive environment is essential for learning. Knowing and following expectations and procedures will support students in making positive choices and academic progress. When students engage in behaviors that do not follow their school’s expectations, school staff members are expected to respond appropriately and consistently:

- School administrators will inform the parents/guardians of any student whose behavior is in conflict with established expectations and procedures.
- School administrators are expected to document, in the student’s behavior record, incidents of behaviors that are managed outside the classroom.
- Students, their parents/guardians and school staff are responsible for working collaboratively to support the expectations and procedures outlined in the Student Behavior Handbook.

Responses and Levels of Behavior Violations
Behaviors are divided into five categories, or levels. There are examples of interventions and disciplinary responses.

- **Interventions and restorative responses** correct and teach positive behavior so students can learn and be safe and respectful.
- **Disciplinary responses** may also be used. Every reasonable effort should be made to repair harm and change behavior using interventions and the least severe disciplinary response that is appropriate.

A Level 1 violation is the least severe (usually managed in the classroom), and a Level 5 violation is the most severe. For each violation on the charts below, the first (•) is the minimum response.

The following factors must be considered prior to developing interventions or assigning disciplinary responses:

- The student’s age, maturity and understanding of the impact of their behavior
- The student’s ability to repair harm caused by the behavior
- The student’s willingness to repair harm caused by the behavior
- The student’s disciplinary record including the nature of prior behavior, the number of prior instances of behavior, and the interventions and disciplinary response applied
- The nature, severity, and scope of the behavior
- The circumstances and context in which the behavior occurred, including its impact on the learning environment
- The student’s Individualized Education Plan (IEP) or 504 plan, if applicable

Unless otherwise noted, these policies apply to student behavior occurring on **any property owned or controlled by SPPS or occurring in connection with any activity sponsored by or associated with SPPS**. The following represent the majority of violations that occur.

**Note:** Please refer to the Glossary of Terms at the end of this handbook for additional terms and definitions, related Minnesota statutory references, and other information.

A severe occurrence may be treated as a violation at a higher level.
Levels of Behavior Violations

Level 1

Level 1 interventions are generally addressed by school staff members when a student has minimal or no prior violations. The staff response is to teach and practice the expected behavior so students learn and demonstrate safe and respectful behaviors. Staff members use a variety of teaching and management strategies, and this is usually a classroom-managed behavior.

Examples of Interventions and Restorative Responses

Level one incidents generally do not result in removal from school unless the intensity and/or frequency of the behavior is high and multiple interventions have been attempted.

<table>
<thead>
<tr>
<th>Interventions aim to correct and teach alternative behavior so students can learn and demonstrate safe and respectful behavior. School staff members are expected to use a variety of methods and classroom management strategies that may include:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Re-teaching expected behavior/skill</td>
</tr>
<tr>
<td>• Verbal or nonverbal redirection</td>
</tr>
<tr>
<td>• Role play</td>
</tr>
<tr>
<td>• Written reflection/apology</td>
</tr>
<tr>
<td>• Seat change</td>
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<tr>
<td>• Teacher/student conference</td>
</tr>
<tr>
<td>• Daily progress sheet on behavior</td>
</tr>
<tr>
<td>• In-class time-out</td>
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<tr>
<td>• Restitution (fix-it plan)</td>
</tr>
<tr>
<td>• Removal from class to another supervised classroom (short-term)</td>
</tr>
<tr>
<td>• Change in schedule</td>
</tr>
<tr>
<td>• Loss of privilege(s)</td>
</tr>
<tr>
<td>• Student contract</td>
</tr>
<tr>
<td>• Restorative circles</td>
</tr>
<tr>
<td>Appropriate staff interventions may involve the parent/guardian and other members of the school community. Interventions may include:</td>
</tr>
<tr>
<td>• Parent/guardian notification</td>
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<tr>
<td>• Parent/guardian/teacher conference</td>
</tr>
<tr>
<td>• Parent/guardian accompanying student to school or class</td>
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<tr>
<td>• Removing, adjusting, or covering up clothing that violates student dress requirements</td>
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<tr>
<td>• In-school community service</td>
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<tr>
<td>• Conflict resolution</td>
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<tr>
<td>• Mentoring program participation</td>
</tr>
<tr>
<td>• Contract between teacher, student and parent/guardian</td>
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<tr>
<td>• Peer mediation</td>
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<tr>
<td>• Referral</td>
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</tbody>
</table>

Repeated instances of a level 1 violation may be treated as a violation at a higher level only when appropriate interventions have been attempted over a reasonable amount of time and documented in the student’s record.
**Level 2**

Level 2 violations will generally result in interventions and/or disciplinary responses that involve the school administration. These actions aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school.

<table>
<thead>
<tr>
<th>Examples of Interventions, Restorative, and/or Disciplinary Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>These interventions may involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school.</td>
</tr>
<tr>
<td>- Use of lower-level interventions and consequences</td>
</tr>
<tr>
<td>- Behavioral skills training</td>
</tr>
<tr>
<td>- Student conference</td>
</tr>
<tr>
<td>- Parent/guardian notification</td>
</tr>
<tr>
<td>- Parent/guardian conference</td>
</tr>
<tr>
<td>- Restorative practices (restitution, mediation)</td>
</tr>
<tr>
<td>- School community service</td>
</tr>
<tr>
<td>- Referral to Student Assistance Team (SAT)</td>
</tr>
<tr>
<td>- Removal from class</td>
</tr>
<tr>
<td>- Detention</td>
</tr>
<tr>
<td>- Saturday school</td>
</tr>
<tr>
<td>- In-school suspension for half a day or more</td>
</tr>
</tbody>
</table>

Repeated instances of a level 2 violation may be treated as a violation at a higher level only when appropriate interventions have been attempted over a reasonable amount of time and documented in the student’s record.

**Level 3**

Level 3 violations may result in a dismissal from school for part of a day or an entire school day.

<table>
<thead>
<tr>
<th>Examples of Interventions, Restorative, and/or Disciplinary Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>These responses may involve the temporary, short-term removal of a student from the school environment because of the severity of the behavior. The duration of the dismissal (or removal), if issued, is to be limited as much as possible while adequately addressing the behavior.</td>
</tr>
<tr>
<td>- Use of lower-level interventions and consequences</td>
</tr>
<tr>
<td>- Parent/guardian notification</td>
</tr>
<tr>
<td>- Parent/guardian conference</td>
</tr>
<tr>
<td>- Alternatives to dismissal, such as repairing harm circle, Family Group Conference, or other Restorative Practice</td>
</tr>
<tr>
<td>- Referral to Pupil Problems Committee</td>
</tr>
<tr>
<td>- Referral to PBIS Tier 2 and/or Tier 3 supports in the building</td>
</tr>
<tr>
<td>- Dismissal (up to one complete school day)</td>
</tr>
</tbody>
</table>

Repeated instances of a level 3 violation may be treated as a violation at a higher level only when appropriate interventions have been attempted over a reasonable amount of time and documented in the student’s record.
Level 4
Level 4 violations will result in suspension of a student and possible notification of the SPPS Office of Security and Emergency Management. A suspension is a removal from school for more than one day.

**Examples of Interventions, Restorative, and/or Disciplinary Responses**

These responses may involve the temporary, short-term removal of a student from the school environment because of the severity of the behavior. The duration of the short-term suspension, if issued, is to be limited as much as possible while adequately addressing the behavior.

- Use of lower-level interventions and consequences
- Parent/guardian notification
- Parent/guardian conference
- Family Group Conference or other Restorative Practice
- Referral to Pupil Problems Committee
- Administrative transfer
- Alternatives to suspension
- Interim alternative educational placement
- Short-term suspension, in excess of one complete school day
- Expulsion or exclusion (an act of the Board of Education)

**Note:** Students involved in incidents at this level may be referred for expulsion depending on the circumstances.

Level 5
Level 5 violations require the principal to notify the SPPS Office of Security and Emergency Management and make a referral for expulsion to the Superintendent or designee. See the full definitions of expulsion, zero tolerance and statutes that apply to the violations in the glossary of this handbook.

**Examples of Disciplinary Responses**

These responses involve the removal of the student from the school environment because of the severity of the behavior. They may involve the placement of the student in a safe environment that provides additional structure to address behavior. These interventions focus on maintaining the safety of the school community and ending self-destructive and/or dangerous behavior:

- Use of lower-level interventions and consequences
- Parent/guardian notification
- Parent/guardian conference
- Referral to Local Pupil Problems Committee
- Administrative transfer
- Interim alternative educational placement
- Expulsion or exclusion (an act of the Board of Education)
# Behavior Violations and Level Responses

<table>
<thead>
<tr>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 3</th>
<th>Level 4</th>
<th>Level 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1 interventions are generally addressed by school staff members when a student has minimal or no prior violations. The staff response is to teach and practice the expected behavior so students learn and demonstrate safe and respectful behaviors. Staff members are expected to use a variety of teaching and management strategies.</td>
<td>Level 2 violations will generally result in interventions and/or disciplinary responses that involve the school administration. These actions aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school.</td>
<td>Level 3 violations <strong>may result</strong> in a dismissal from school for part of a day or an entire school day.</td>
<td>Level 4 violations will result in the suspension of a student and possible notification of the SPPS Office of Security and Emergency Management. A suspension is removal from school for more than one day.</td>
<td>Level 5 violations require principals to notify the SPPS Office of Security and Emergency Management and make a referral for expulsion to the Superintendent or designee. Full definitions of expulsion, zero tolerance and statutes that apply to the violations are in the glossary of this handbook.</td>
</tr>
</tbody>
</table>

This table contains summary definitions for violations and responses. Please see the full definitions in the glossary of this handbook.

<table>
<thead>
<tr>
<th>Violation</th>
<th>Levels</th>
<th>Contact Office of Security &amp; Emergency Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Absence, Chronic Truancy</td>
<td></td>
<td>• •</td>
</tr>
<tr>
<td>Continued unauthorized absences.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Absence, Tardiness</td>
<td>•</td>
<td></td>
</tr>
<tr>
<td>Arriving late to school or to class.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Absence, Unexcused</td>
<td>• •</td>
<td></td>
</tr>
<tr>
<td>Unauthorized absence from school or class.</td>
<td></td>
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<tr>
<td>Alcohol, Possession/Use/Under the Influence</td>
<td></td>
<td>• •</td>
</tr>
<tr>
<td>Possession, use, or being under the influence of any alcoholic product while on school grounds or at school-sponsored activities.</td>
<td></td>
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</tr>
<tr>
<td>Arson</td>
<td>• • •</td>
<td></td>
</tr>
<tr>
<td>The intentional destruction of, or damage to property by means of fire or explosives.</td>
<td></td>
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</tr>
<tr>
<td>Assault</td>
<td>• •</td>
<td></td>
</tr>
<tr>
<td>The intentional infliction of bodily harm upon a person, who is not an SPPS staff member, without the person’s consent.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assault, Aggravated (substantial or great bodily harm)</td>
<td></td>
<td>• •</td>
</tr>
<tr>
<td>The intentional infliction of substantial bodily harm or great bodily harm upon another who is not an SPPS staff member.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assault, Aggravated (firearm, dangerous weapon, or other weapon)</td>
<td></td>
<td>• •</td>
</tr>
<tr>
<td>Committing an act with a firearm, dangerous weapon, or other weapon with intent to cause fear in another of immediate bodily harm or death.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assault On Staff</td>
<td>• •</td>
<td></td>
</tr>
<tr>
<td>The intentional infliction of bodily harm upon an SPPS staff member without the staff member’s consent.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Level</td>
<td>Contact Office of Security &amp; Emergency Management</td>
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<td>-------</td>
<td>--------------------------------------------------</td>
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<tr>
<td>5</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assault on Staff, Aggravated (substantial or great bodily harm)</th>
<th>• •</th>
</tr>
</thead>
<tbody>
<tr>
<td>The intentional infliction of substantial bodily harm or great bodily harm upon an SPPS staff member.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Audio Alert Device</th>
<th>• •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possession of any device intended to be used to produce audio signals for purposes of repelling an attack or intrusion by others.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Audio Alert Device, Use or Intent to Use</th>
<th>•</th>
</tr>
</thead>
<tbody>
<tr>
<td>See above. Use or intent to use must be present.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Bullying</th>
<th>• • • •</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the definition of Bullying, see Board Policy 505.00 (available online at spps.org/boardpolicies). Find examples in the glossary of this handbook.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bullying Using Technology (Cyberbullying)</th>
<th>• •</th>
</tr>
</thead>
<tbody>
<tr>
<td>For the definition of Cyberbullying, see Board Policy 505.00 (available online at spps.org/boardpolicies).</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cheating or Plagiarizing</th>
<th>• •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic dishonesty including, but not limited to, copying the work of others on school assignments or tests and using the ideas or writings of another person without giving due credit to the creator of the work. This includes work accessed digitally.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Criminal Act</th>
<th>• •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committing an act, on school property or in the course of a school-sponsored or school-associated activity, that would be a crime if committed by an adult.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Criminal Act Against a Staff Member</th>
<th>• • •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committing an act against an SPPS staff member that would be a crime if committed by an adult.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Criminal Sexual Conduct</th>
<th>• • •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual conduct amounting to a violation includes criminal &quot;sexual contact&quot; or any other sexual act that would be a criminal act if committed by an adult.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Damage to Property of Others</th>
<th>• • •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willful damage to the property of staff members or others.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Damage to School Property</th>
<th>• • •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willfully cutting, defacing or otherwise damaging, in any way, property belonging to or used by the school district.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Defiance of Authority</th>
<th>• • •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willful refusal to follow directions given by a staff member.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Discrimination</th>
<th>• • •</th>
</tr>
</thead>
<tbody>
<tr>
<td>No person shall, on the basis of race, creed, sex, marital status, national origin, age, color, religion, ancestry, status with regard to public assistance, sexual or affectional orientation, familial status, gender identity and expression, or disability, be subjected to discrimination.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Disruptive Behavior</th>
<th>• • •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Situations and/or actions that interfere with, or have the potential to interfere with, effective learning and/or operations of the school.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Disruptive Behavior, Severe</th>
<th>• •</th>
</tr>
</thead>
<tbody>
<tr>
<td>Situations and/or actions that may endanger or have endangered the safety of others; or significantly violent, or threatening behavior that severely disrupts school, a school-sponsored activity, or a school-supervised activity held off school premises.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Disruptive Behavior to and from School</th>
<th>•</th>
</tr>
</thead>
<tbody>
<tr>
<td>Behavior that endangers or harasses students on their way to and from school, or at the bus stop, or diverts the bus driver’s attention from driving.</td>
<td></td>
</tr>
<tr>
<td>Rule</td>
<td>Levels</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td><strong>Drugs or Controlled Substances, Possession/Use/ Soliciting/Selling</strong></td>
<td></td>
</tr>
<tr>
<td>The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, or transportation of any drugs or controlled substance; unlawfully being under the influence of any drugs or controlled substance; or possession of equipment or devices used for preparing or taking drugs or controlled substances.</td>
<td></td>
</tr>
<tr>
<td><strong>Explosive Device, Possession/Use/Intent to Use</strong></td>
<td></td>
</tr>
<tr>
<td>Bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.</td>
<td></td>
</tr>
<tr>
<td><strong>Fighting</strong></td>
<td></td>
</tr>
<tr>
<td>Mutual participation in which both parties have contributed to the situation by verbal and/or physical action.</td>
<td></td>
</tr>
<tr>
<td><strong>Firearm, Possession/Use/Intent to Use</strong></td>
<td></td>
</tr>
<tr>
<td>Gun or rifle that fires ammunition by force of explosion or combustion. Does not include BB guns, air guns, or lookalike guns.</td>
<td></td>
</tr>
<tr>
<td><strong>Fires and False Fire Alarms</strong></td>
<td></td>
</tr>
<tr>
<td>Tampering or interfering with any fire alarm system or failure to exercise caution, resulting in a fire.</td>
<td></td>
</tr>
<tr>
<td><strong>Gambling</strong></td>
<td></td>
</tr>
<tr>
<td>Playing of a game of chance for stakes.</td>
<td></td>
</tr>
<tr>
<td><strong>Gang Activity</strong></td>
<td></td>
</tr>
<tr>
<td>Gang activity is only an additional violation to a primary violation of another rule of student behavior.</td>
<td></td>
</tr>
<tr>
<td><strong>Harassment, Based on Protected Status</strong>¹</td>
<td></td>
</tr>
<tr>
<td>Harassment includes physical or verbal conduct or communication, directed at an individual, that is 1) based on an individual’s race, creed, sex, marital status, national origin, age, color, religion, ancestry, status with respect to public assistance, sexual or affectional orientation, gender identity and expression, familial status or disability; and 2a) has the purpose or effect of creating an environment that is intimidating, hostile or offensive with respect to that individual; or 2b) otherwise adversely affects the individual’s employment, educational opportunities or access to a benefit from the school district.</td>
<td></td>
</tr>
<tr>
<td><strong>Hazing¹²</strong></td>
<td></td>
</tr>
<tr>
<td>Committing an act against a student, or coercing a student into committing an act, which creates a substantial risk of harm to a person in order for the student to be initiated into or affiliated with a student organization, or for any other purpose.</td>
<td></td>
</tr>
<tr>
<td><strong>Language, Abusive</strong></td>
<td></td>
</tr>
<tr>
<td>Student delivers verbal messages that include offensive or threatening language.</td>
<td></td>
</tr>
<tr>
<td><strong>Language, Inappropriate</strong></td>
<td></td>
</tr>
<tr>
<td>Swearing or using words in a disrespectful way.</td>
<td></td>
</tr>
<tr>
<td><strong>Incapacitation Device, Possession, with use or intent to use</strong></td>
<td></td>
</tr>
<tr>
<td>A device designed to temporarily immobilize or incapacitate people such as taser, stun gun or tear gas derivative. Use or intent must be present.</td>
<td></td>
</tr>
<tr>
<td><strong>Incapacitation Device, Possession, without use or intent to use</strong></td>
<td></td>
</tr>
<tr>
<td>See above. Use or intent must not be present.</td>
<td></td>
</tr>
<tr>
<td><strong>Intentional Damage to District Technology Resources</strong></td>
<td></td>
</tr>
<tr>
<td>Intentionally causing damage to hardware, software or other equipment.</td>
<td></td>
</tr>
<tr>
<td><strong>Interference/Obstruction</strong></td>
<td></td>
</tr>
<tr>
<td>Any action taken to attempt to prevent a staff member from exercising their lawfully assigned duties, including an administrative investigation.</td>
<td></td>
</tr>
<tr>
<td><strong>Leaving School Grounds</strong></td>
<td></td>
</tr>
<tr>
<td>Leaving school grounds during school hours without proper clearance.</td>
<td></td>
</tr>
<tr>
<td><strong>Medication Policy Violation</strong></td>
<td></td>
</tr>
<tr>
<td>Students using or distributing prescription or nonprescription medication in an unauthorized manner.</td>
<td></td>
</tr>
<tr>
<td><strong>Rights &amp; Responsibilities Handbook</strong></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Levels</strong></td>
<td>1</td>
</tr>
<tr>
<td><strong>Contact Office of Security &amp; Emergency Management</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Parking Violation</strong></td>
<td>•</td>
</tr>
<tr>
<td>Parking in an unauthorized area on school property.</td>
<td></td>
</tr>
<tr>
<td><strong>Physical Aggression (Bodily Harm)</strong></td>
<td></td>
</tr>
<tr>
<td>An intentional act by a student resulting in bodily harm.</td>
<td></td>
</tr>
<tr>
<td><strong>Physical Aggression (Substantial Bodily Harm)</strong></td>
<td></td>
</tr>
<tr>
<td>An intentional act by a student resulting in substantial bodily harm.</td>
<td></td>
</tr>
<tr>
<td><strong>Physical Aggression to Staff</strong></td>
<td></td>
</tr>
<tr>
<td>An intentional act by a student resulting in unwelcome physical contact with a staff person.</td>
<td></td>
</tr>
<tr>
<td><strong>Physical Contact (No Bodily Harm)</strong></td>
<td>•</td>
</tr>
<tr>
<td>Students engage in non-serious but inappropriate physical contact, such as pushing and intimidation.</td>
<td></td>
</tr>
<tr>
<td><strong>Possession, Other Prohibited Items</strong></td>
<td>•</td>
</tr>
<tr>
<td>Examples may include (but are not limited to): ammunition, lighters (without possession of other tobacco products), handcuffs, and any other toys or objects (to include toy guns that do not meet the definition of a replica firearm, toy knives, toy swords, etc.) that would not be identified as a weapon but may cause disruption.</td>
<td></td>
</tr>
<tr>
<td><strong>Possession, Other Weapon or Object, not a firearm and not meeting Minnesota Statute dangerous weapon definition, without use or intent to use as a weapon</strong></td>
<td>•</td>
</tr>
<tr>
<td>Device not manufactured as a dangerous weapon that is capable of producing bodily harm, substantial bodily harm, or fear of bodily harm. Examples include knives with blades under 2.5 inches, box cutters, razor blades, etc. Use or intent to use must not be present.</td>
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</tr>
<tr>
<td><strong>Possession/Use of a Dangerous Weapon Other Than a Firearm</strong></td>
<td>•</td>
</tr>
<tr>
<td>A device designed or modified as a weapon that is capable of producing death or great bodily harm. Examples include knife with a blade of 2.5 inches or longer, replica firearm, BB gun, or brass knuckles.</td>
<td></td>
</tr>
<tr>
<td><strong>Possession/Use of Other Weapon or Object, not a firearm and not meeting Minnesota Statute Dangerous Weapon definition, with use or intent to use</strong></td>
<td>•</td>
</tr>
<tr>
<td>Device not manufactured as a dangerous weapon or non-conventional weapon capable of producing bodily harm, substantial bodily harm, or fear of bodily harm. Examples include knives with blades under 2.5 inches, box cutters, razor blades, etc. Use or intent to use must be present.</td>
<td></td>
</tr>
<tr>
<td><strong>Pyrotechnic Devices, Possession and/or Detonation</strong></td>
<td>•</td>
</tr>
<tr>
<td>A firework or firecracker.</td>
<td></td>
</tr>
<tr>
<td><strong>Racial or Religious Violence</strong></td>
<td></td>
</tr>
<tr>
<td>Racial or religious violence is a physical act of aggression or assault or the threat of aggression or assault upon another because of, or in a manner reasonably related to, race or religion.</td>
<td></td>
</tr>
<tr>
<td><strong>Reckless or Careless Driving</strong></td>
<td></td>
</tr>
<tr>
<td>Driving on school property in such a manner as to endanger persons or property.</td>
<td></td>
</tr>
<tr>
<td><strong>Record and Identification Falsification</strong></td>
<td>•</td>
</tr>
<tr>
<td>Falsifying or altering signature or data, refusing to give proper identification, or giving false identification to staff.</td>
<td></td>
</tr>
<tr>
<td><strong>Robbery/Extortion</strong></td>
<td></td>
</tr>
<tr>
<td>Obtaining property from another by force or a threat of force.</td>
<td></td>
</tr>
<tr>
<td><strong>Sexual Behavior</strong></td>
<td>•</td>
</tr>
<tr>
<td>Engaging in sexual behavior including, but not limited to, sexual intercourse or sexual penetration, sexual contact, indecent exposure, or masturbation.</td>
<td></td>
</tr>
<tr>
<td><strong>Sexual Harassment</strong></td>
<td></td>
</tr>
<tr>
<td>Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other physical or verbal conduct or communication of a sexual nature.</td>
<td></td>
</tr>
<tr>
<td>Levels</td>
<td>1</td>
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<td>--------</td>
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</tr>
<tr>
<td>Sexual Violence ¹ ²</td>
<td></td>
</tr>
<tr>
<td>A physical act of aggression or force or the threat of aggression or force that involves touching another person’s intimate parts or forcing a person to touch any person’s intimate parts.</td>
<td></td>
</tr>
<tr>
<td>Student Dress</td>
<td></td>
</tr>
<tr>
<td>Manner of dress or personal grooming that does not fit within the policies or guidelines practiced by the school or district.</td>
<td></td>
</tr>
<tr>
<td>Teasing and Name Calling</td>
<td></td>
</tr>
<tr>
<td>A single occurrence of teasing or name-calling with or without the intent to injure, degrade, disgrace or intimidate other individuals.</td>
<td></td>
</tr>
<tr>
<td>Technology Misuse/Violation</td>
<td></td>
</tr>
<tr>
<td>This includes being off-task, treating iPads carelessly and airdropping material without permission.</td>
<td></td>
</tr>
<tr>
<td>Technology – Unauthorized or Inappropriate Use of District Technology Resources</td>
<td></td>
</tr>
<tr>
<td>Any act that violates the Board of Education’s Technology Usage and Safety Policy or constitutes an unacceptable or illegal use of the school district’s computer facilities, systems, networks or software.</td>
<td></td>
</tr>
<tr>
<td>Theft, Major</td>
<td></td>
</tr>
<tr>
<td>Unauthorized taking/possession of the property of another including but not limited to jackets, expensive electronics, etc.</td>
<td></td>
</tr>
<tr>
<td>Theft, Minor</td>
<td></td>
</tr>
<tr>
<td>The unauthorized or illegal use of school property for non-school sponsored activities.</td>
<td></td>
</tr>
<tr>
<td>Threats ²</td>
<td></td>
</tr>
<tr>
<td>Any oral, written, or physical expression of intention to cause harm or violence to another person or another’s property. Administrators should carefully evaluate the intent of the student making the expression and consider the factors identified on Page 12. Find examples and guidance in the glossary of this handbook.</td>
<td></td>
</tr>
<tr>
<td>Threats, Aggravated ¹ ²</td>
<td></td>
</tr>
</tbody>
</table>
| Any threat of violence:  
(i) made with the intent to cause extreme fear or panic within a substantial portion of the school community;  
(ii) made with the intent to cause evacuation or lockdown of a building, place of assembly, school event, or vehicle;  
(iii) made repeatedly against an individual or group; OR  
(iv) Any expression that does not meet the definition of threat, but is made with reckless disregard for the risk of, and actually causes, the extreme fear, panic, evacuation, or lockdown contemplated by (i) and (ii). Administrators considering this violation should carefully review the definition of threat used by this Handbook in determining whether the appropriate violation is Threats; Threats, Aggravated; or Abusive Language. Find examples and guidance in the glossary of this handbook. |   |   |   |   |   | Contact Office of Security & Emergency Management |
| Tobacco and Other Tobacco Related Devices, Possession/Use |   |   |   |   |   | Levels  |
| Students are prohibited from having tobacco, lighters, matches, e-cigarettes and other tobacco-related devices in their possession. See Board Policy 414 available online at spps.org/boardpolicies. |   |   |   |   |   | Contact Office of Security & Emergency Management |
| Trespassing, Including During Periods of Dismissal or Suspension |   |   |   |   |   | Levels  |
| Being physically present on school property or at a school activity after being directed to leave by a school administrator or other person lawfully responsible for the control of the premises. |   |   |   |   |   | Contact Office of Security & Emergency Management |

¹ For more information regarding student human rights, please contact the Ombudsperson at 651-767-8394. The Ombudsperson is located at 360 Colborne Street, Saint Paul, MN 55102.

² The Local Pupil Problems Committee may be convened to evaluate the credibility and level of any threat or threatening behavior.
Discipline Processes
All disciplinary actions will be processed pursuant to Saint Paul Public Schools’ discipline policies, the requirements of the Minnesota Pupil Fair Dismissal Act, and other applicable laws.

Any student who violates the District-wide Student Discipline Policy may be subjected to the consequences established in this Student Behavior Handbook. Any student who violates a policy that has a potential consequence of suspension from school for more than one school day shall have an informal conference with a school administrator.

If a student’s total days of removal from school exceed 10 cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian before subsequently removing the student from school.

All students who violate a policy or rule that has the potential consequence of expulsion or exclusion will be given the opportunity to have a hearing in accordance with Minnesota law.

Alternative Educational Services Procedures
If a student is suspended for more than five school days, the student is entitled to alternative educational services that will allow the student to progress toward meeting graduation requirements and the suspending administrator must provide the superintendent with a reason for the longer suspension. Generally, Saint Paul Public Schools (SPPS) provides alternative educational services according to the following schedule:

<table>
<thead>
<tr>
<th>Length of Suspension</th>
<th>Services Provided</th>
<th>School Administrator or Designee Responsibility</th>
<th>Parent/Guardian Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to five school days</td>
<td>Current classroom work and homework will be made available, if possible.</td>
<td>Arrange for collection of classroom work and homework from teachers.</td>
<td>Pick up classroom work and homework from school administrator or arrange to have it mailed to home. Return completed work upon student’s return to school.</td>
</tr>
<tr>
<td>Six to 10 school days</td>
<td>Current classroom work and homework will be made available no later than the sixth school day of suspension.</td>
<td>Arrange for collection of classroom work and homework from teachers.</td>
<td>Pick up classroom work and homework from school administrator or arrange to have it mailed to home. Return completed work to school administrator.</td>
</tr>
<tr>
<td>Up to 15 school days (only pending expulsion, consideration of administrative transfer, or when student constitutes a substantial and immediate danger)*</td>
<td>Homebound services must be arranged to begin no later than the 11th school day.</td>
<td>Arrange for homebound services as soon as a determination has been made to refer student for expulsion or administrative transfer, or if zero tolerance applies.</td>
<td>Assist school administrator in establishing a schedule for the delivery of homebound services.</td>
</tr>
</tbody>
</table>

This schedule does not preclude school administrators from providing different alternative educational services that allow the student to progress toward meeting graduation requirements. Each suspension action may include a readmission plan. The readmission plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension.

The school principal is responsible for ensuring that the school attempts to provide required alternative educational services. Parents/guardians also have the responsibilities set forth above. Parents who have concerns about the school’s compliance with these procedures should contact the school principal or principal’s supervisor promptly.
Additional information related to special education students: SPPS may have additional obligations to special education students that are not explained here. For more information about the rights of special education students, see the Procedural Safeguard Notice Parental Rights for Public School Special Education Students at https://education.mn.gov/MDE/dse/sped/proc/ or contact the school principal, your student’s case manager or the special education director at 651-767-8321.

Local Pupil Problems Committee
The Local Pupil Problems Committee (Local PPC) deals with problems relating to student discipline and school adjustment. The principal appoints this committee and it usually includes an administrator, counselor, teachers, social worker, nurse, and/or other staff (5-7 members). The committee shall meet to consider disciplinary and behavioral problems of students referred to it by the principal or designee (chair) and shall recommend to the principal such remedial, corrective, or disciplinary measures as it may deem to be in the best interests of the students and the school. When a major decision or recommendation regarding a student is being considered, parents shall be invited to be present at the Local PPC meeting or to submit a written statement. Parents have the option to bring an additional person with them to the Local PPC meeting, but this additional person may not act as an attorney.

If the Local PPC recommends a school transfer, expulsion or exclusion, the principal can submit the recommendation to a District Transfer committee of interdepartmental representatives for further review and decision. This District Transfer committee is composed of District administrators and staff from varying areas and perspectives. For Level 5 offenses, the principal has the authority to submit a referral for expulsion or exclusion directly to the District committee for its review and decision without Local PPC action.

If parents/guardians wish, they may submit a written statement within three days after receiving notice of the principal’s or Local PPC’s recommendation for transfer, expulsion or exclusion. The principal will include any such written statement with the recommendation to the District Transfer committee.

School Resource Officers (SROs)
SROs are sworn officers of the Saint Paul Police Department. SROs work in partnership with school administrators to provide the safest learning environment possible. The SROs’ primary function is law enforcement. Juvenile or criminal proceedings or consequences against the student do not preclude the school district from disciplining the student for violations of the Student Behavior Handbook or for other misconduct.

Threat Assessment
The Local Pupils Problems Committee or a subset of the Local Pupils Problems Committee will evaluate threats of violence to self or others and threatening behaviors, and determine the probability that a person will carry out a threat. The purpose of a threat assessment evaluation is to guide a site-based threat assessment team through an information gathering process that will result in a supervision plan to maximize student safety. The SPPS Office of Security and Emergency Management (SEM) shall provide training, resources, and on-site assistance when requested.

Transfer Committee
The Saint Paul Public Schools (SPPS) Transfer Committee exists for the purpose of ensuring that SPPS students are enrolled in an appropriate environment for learning to occur. Principals may request that a student be administratively transferred from their school, when following the Local Pupil Problem Committee process, described earlier in this document. It is the responsibility of the District Transfer Committee to determine the most appropriate course of action, be it approval of the request for transfer and selection of the new enrollment location, or denial of request for transfer. The Transfer Committee uses a variety of criteria, including the Rights and Responsibilities Handbook as well as Minnesota State Statute, PPC recommendations, and past practice, to determine the most appropriate placement for the student. The Transfer Committee meets weekly during the school year and strives to ensure that each request is vetted with the best interests of the student, family, and staff in mind.
**Discipline Processes: Students with Disabilities**

**Students with Disabilities/Section 504 Students**

Students covered by Section 504 of the Rehabilitation Act of 1973 may be disciplined for behavior related to their disabilities, unless the discipline would result in a significant change of placement. A qualified student with a disability may not be suspended for more than 10 cumulative school days without a manifestation determination conducted by the student’s 504 team.

**Students with Disabilities and Students with an Individual Education Program (IEP)**

When a student with a disability has been suspended for five consecutive school days or after the 10th cumulative school day within the school year, the IEP team must meet to hold a manifestation determination meeting. The team will determine if the behavior is related to the student’s disability. The team may need to conduct a Functional Behavior Assessment and write a behavior intervention plan to support the student at school.

That meeting must occur as soon as possible, but no more than 10 days after the sixth consecutive day of suspension or when the tenth cumulative day of suspension has elapsed. A dismissal for one school day or less is a day of suspension if the student with a disability does not receive regular or special education instruction during that dismissal period. A student with a disability shall be provided alternative educational services to the extent a suspension exceeds five consecutive school days.

Before initiating an expulsion or exclusion, the district, relevant members of the student’s individualized education program team, and the student’s parent shall, consistent with federal law, determine whether the student’s behavior was caused by or had a direct and substantial relationship to the student’s disability and whether the student’s conduct was a direct result of a failure to implement the student’s individualized education program. When a student with a disability who has an individualized education program is excluded or expelled for misbehavior that is not a manifestation of the student’s disability, the district shall continue to provide special education and related services during the exclusion or expulsion. Minn. Stat. § 121A.43.

### SPPS Discipline Guidelines for Students with Disabilities under State Laws and Federal Regulations

(When a student with a disability is considered for an Out-of-School suspension, the IEP case manager should be consulted before a final decision is made. This chart is not a substitute for special education regulations. Always check the federal or state regulations for clarification.)

<table>
<thead>
<tr>
<th>Within a school year, student with a disability is removed(^2)</th>
<th>IEP Team Meeting Required</th>
<th>Manifestation Determination Required: Behavior is/is not related to disability or IEP not implemented as written. 34 C.F.R. § 300.530 (e)</th>
<th>Functional Behavioral Assessment or Review Required 34 C.F.R. § 300.530 (f)</th>
<th>Disciplinary Change of Placement: Legal term for 11 consecutive or cumulative days of removal. Must give parent Rights &amp; Procedural Safeguards. 34 CFR § 300.536</th>
<th>Interim Alternative Educational Setting (IAES): A setting different than the student’s placement that allows the student with a disability to: (1) continue to participate in the general education curriculum, (2) make progress towards meeting IEP goals and objectives and (3) receive services designed to prevent the behavior from recurring. 34 CFR § 300.530(d)(1)-(5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Removed for 1-10 cumulative days(^2), (^3)</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>N/A</td>
</tr>
<tr>
<td>Removed for 6 OR MORE consecutive days(^2), (^3)</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>SPPS must provide alternative educational services in an IAES during 6 or more consecutive days of removal. The number of days of removal should follow the current SPPS Student Behavior Handbook: Rights &amp; Responsibilities for the behavior that the student displayed.</td>
</tr>
</tbody>
</table>
### Rights & Responsibilities Handbook

**Removed for 11 cumulative days**

<table>
<thead>
<tr>
<th>Removed for 11 cumulative days</th>
<th>YES</th>
<th>YES for every dismissal or suspension for rest of school year</th>
<th>YES (or review existing FBA)</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPPS must provide alternative educational services in an IAES after every dismissal or suspension for the rest of each school year. The number of days of removal should follow the current SPPS Student Behavior Handbook: Rights &amp; Responsibilities for the behavior that the student displayed. CANNOT use up to 45 days unless one of the 3 behaviors below as a &quot;special circumstance&quot; occurred.</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**Placed in-school suspension**

<table>
<thead>
<tr>
<th>Placed in-school suspension</th>
<th>NO</th>
<th>NO</th>
<th>NO</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>An Interim Alternative Educational Setting (of up to 45 school days) can <strong>ONLY</strong> be used if a student with a disability does the following at school, on school premises or at a school function (34 CFR § 300.530(g)): (1) Carries a <strong>dangerous weapon</strong> or possesses a dangerous weapon (defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length) 18 USC §930(g)(2) (definition); (2) Knowingly possesses or uses <strong>illegal drugs</strong>, or sells or solicits the sale of a controlled substance (34 C.F.R. § 300.530 (definition)); or (3) Inflicts <strong>serious bodily injury</strong> upon another person (defined as a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty) 18 USC §1365(h)(3) (definition).</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

1. Removals include dismissals (less than a school day) and suspensions (a full school day). All removals count towards days of removal. E.g., 11 dismissals are 11 cumulative days of removal.

2. If the removal brings the total cumulative days in a school year to more than 10 days, see "removed for 11 cumulative school days." Minn. Stat. §§ 121A.41, subd.10, 121A.43.

3. If a student with a disability has transportation on the IEP and is removed from the school bus, the days of removal from the bus must be counted toward the 6 or more consecutive days or 11 cumulative days of removal.

4. In-school suspension is not considered a removal as long as the student is afforded the opportunity to continue to appropriately progress in the general curriculum, continue to receive the services on the IEP and continue to participate with non-disabled students to the extent they would have in their current placement.

5. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessment, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center selected to allow the student to progress toward meeting graduation standards although in a different setting. Minn. Stat. § 121A.41, subd. 11

6. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this section, is appropriate for a child with a disability who violates a code of student conduct. The "other requirements of this section" do not allow a 45 school days interim alternative setting except under the three special circumstances. 34 C.F.R. § 300.530(g).
Glossary of Terms

Absence –

- **Chronic Truancy** – Continued unauthorized absences. Student will be referred to social worker for consideration to file a court petition or referred to the Truancy Intervention Program (TIP). Ordinarily, chronic truancy does not warrant dismissal.
- **Tardiness** – Arriving late to school or to class.
- **Unexcused** – Unauthorized absence from school or class.

**Administrative Placement** – A change of placement of a student made for non-disciplinary reasons.

**Administrative Transfer** – The transfer of a student from one school to another usually as an intervention resulting from serious or repeated violations of this handbook.

**Alcohol** – Possession, use, or being under the influence of any alcoholic product while on school grounds or at school sponsored activities. Student may be referred for a chemical use assessment. For more details, see Board Policy 504 online at spps.org/boardpolicies.

**Alternative to Expulsion (A2E)** – An alternative learning environment for students recommended for expulsion in grades 6-12. A2E allows students to earn school credit while preparing to return to a traditional school setting.

**Arson** – The intentional destruction of or damage to property by means of fire or explosives. Zero tolerance applies if a combustible or flammable liquid was used. For more details, click on links: Minn. Stat. § 609.561, Minn. Stat. § 609.562, Minn. Stat. § 609.563, Minn. Stat. § 609.5631, Minn. Stat. § 609.5632 (arson in 1st through 5th degrees with definitions).

**Assault** – The intentional infliction of bodily harm upon a person who is not an SPPS staff member, without the person’s consent. See also Assault on Staff.

**Assault, Aggravated (substantial or great bodily harm)** – The intentional infliction of substantial bodily harm, or great bodily harm, upon another who is not an SPPS staff member. See also Assault on Staff, Aggravated.

**Assault, Aggravated (firearm, dangerous weapon, or other weapon)** – Committing an act with a firearm, dangerous weapon, or other weapon with intent to cause fear in another of immediate bodily harm or death.

**Assault on Staff** – The intentional infliction of bodily harm upon an SPPS staff member, without the person’s consent. See also Assault.

**Assault on Staff, Aggravated (substantial or great bodily harm)** – The intentional infliction of substantial bodily harm, or great bodily harm, upon an SPPS staff member, without the person’s consent. See also Assault, Aggravated.

**Audio Alert Device** – Any device intended to be used to produce audio signals for purposes of repelling an attack or intrusion by others.

**Behavioral Skills Training** – Students receive behavioral skills training from a school staff member in one or multiple sessions during the school day to learn, relearn and practice positive, appropriate school behaviors, usually in response to a disciplinary incident.

**Bodily Harm** – Physical pain or injury, illness, or any impairment of physical condition. For more details, see Minn. Stat. § 609.02. subd. 7.
**Bullying** – For the definition of Bullying, see Board Policy 505. Examples of bullying include, but are not limited to: (1) one student repeating an untrue, and objectively offensive, rumor throughout school about another student; (2) an older student repeatedly gesturing at a younger student as if the older student plans to hurt the younger student; (3) a student who is actually or perceived to be more popular convincing multiple other students not to be friends with a student who is actually or perceived to be less popular; (4) one student posting an embarrassing photo of another student on social media where other students can view it, causing the student in the photograph such distress that the student stops attending school; or (5) one student threatening to beat up another student after school, causing the second student to be too afraid to participate in any after school activities.

**Bullying Using Technology (Cyberbullying)** – This type of bullying takes place using technology or other electronic communication. See Board Policy 505 (online at spps.org/boardpolicies).

**Bus Safety Class** – An alternative to a bus suspension that requires student and parent to attend an educational class on bus safety.

**Bus Suspension** – Temporary or long-term prohibition for a student to ride a school bus to school or other events involving riding a school bus.

**Bus Violations** – Any incidence of unacceptable student conduct on or near any school bus or bus stop. Weapons and other serious violations should be reported using the event type associated with the student’s actions, even if they took place on the bus. For more details, see Board Policy 707.02 and Board Procedure 709.01 online at spps.org/boardpolicies.

**Cheating or Plagiarism** – Academic dishonesty including, but not limited to, copying the work of others on school assignments or tests, and using the ideas or writings of another person. Cheating also includes misuse of technology to photograph, illegally copy or download materials from the Internet, or use a personal electronic device to text answers, etc.

**Chemical Health Assessment** – A student may be referred to voluntarily engage in an assessment, completed by a community agency, to determine their level of involvement with alcohol or other chemical use.

**Classroom-Managed Behavior** – Behavior that is handled in the classroom setting using the continuum of classroom interventions and consequences supported by a building’s School-Wide Discipline Plan.

**Conflict Resolution** – A way for two or more parties to find a peaceful solution and negotiate a resolution to a disagreement.

**Contract** – A written behavior agreement signed by the student, teacher or administrator, and/or parent/guardian.

**Criminal Act** – Commission of an act, on school property or in the course of a school sponsored or school-associated activity that would be a crime if committed by an adult.

**Criminal Act Against a Staff Member** – Committing an act against a SPPS staff member that would be a crime if committed by an adult. This policy applies to student acts occurring on or off school property and during or after school hours.

**Criminal Sexual Conduct** – Any violation of Minn. Stat. § 609.342 (criminal sexual conduct in the 1st degree) through Minn. Stat. § 609.345 (criminal sexual conduct in the 4th degree). Criminal sexual conduct amounting to a violation includes criminal “sexual contact” or any other sexual act that would be a criminal act if committed by an adult (1) that is accomplished by force, coercion, or threat of a dangerous weapon, (2) that is committed against the person the actor knows or has reason to know is mentally impaired, mentally incapacitated or physically helpless, or (3) that otherwise violates Minn. Stat. § 609.342- 609.345. For more details, see Minn. Stat. § 609.342-.345. See Intimate Parts, Sexual Contact, and Sexual Violence.

**Damage to Property of Others** – Willful damage to property of staff members and/or others.
**Damage to School Property** – Willfully cutting, defacing, or otherwise damaging in any way any property, real or personal, belonging to or used by the school district. The parent/guardian shall be liable for all damage caused by the student.

**Defiance of Authority** – Willful refusal to follow directions given by a staff member.

**Detention** – The requirement that a student remains in school or attends school outside of normal class time or school hours.

**Discrimination** – No person shall, on the basis of race, creed, sex, marital status, national origin, age, color, religion, ancestry, status with regard to public assistance, sexual or affectional orientation, familial status, gender identity and expression, or disability, be subjected to discrimination. For more details, see Board Policy 102 online at spps.org/boardpolicies.

**Dismissal (or removal from school)** – An action taken by school administration requiring a student to leave school for up to one full school day.

**Disruptive Behavior** – Situations and/or actions that staff believe interfere with or have the potential to interfere with effective learning and/or operations of the school.

**Disruptive Behavior, Severe** – Situations and/or actions that may endanger or have endangered the safety of others; or significantly violent, or threatening behavior that severely disrupts school, a school-sponsored activity, or a school-supervised activity held off school premises.

**Disruptive Behavior to and From School** – Behavior that endangers or harasses students on their way to and from school, or at the bus stop, or diverts the bus driver’s attention from driving. See additional information regarding definitions, interventions, and responses online at spps.org/transportation. For more details, see Board Policy 707.02, and Board Procedure 709.01 online at spps.org/boardpolicies.

**Drugs or Controlled Substances, Possession/Use/Soliciting/Selling** – The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, or transportation of any drugs or controlled substance; unlawfully being under the influence of any drugs or controlled substance; or possession of equipment or devices used for preparing or taking drugs or controlled substances. Student will be referred for a chemical use assessment. For more details see Minn. Stat. § 152.01, subds. 1-23 (Def. of controlled substances), Minn. Stat. § 152.02, Minn. Stat. § 152.021, Minn. Stat. § 152.022, Minn. Stat. § 152.023, Minn. Stat. § 152.024, Minn. Stat. § 152.025 (controlled substance crimes in the 1st through 5th degrees), and Board Policy 504.00 online at spps.org/boardpolicies.

**Exclusion** – An action taken by the Board of Education to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the current school year.

**Explosive Device** – Bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.

**Expulsion** – The legal act taken by the Board of Education to prohibit an enrolled pupil from further attendance for up to 12 months from the date the student is expelled in accordance with Minnesota Statutes §121A.40 to 121A.56.

**Family Group Conference** – School-based Family Group Conferencing is a restorative practice that supports school staff to come together with students and families to develop a plan to support the student’s school engagement, accountability, and success.

**Fighting** – Mutual participation in which both parties have contributed to the situation by verbal and/or physical action.
Firearm – There will be zero tolerance for possession or use of a firearm by any student. Firearms are banned from all property owned or controlled by Saint Paul Public Schools. A firearm is defined in Minn. Stat. § 609.666, subd. 1(a) as a device designed to be used as a weapon, from which is expelled a projectile by the force of explosion or force of combustion. For more details see Board Policy 903.00, and Minn. Stat. §121A.44.

Fires and False Fire Alarms –
(1) Failure to exercise ordinary caution, resulting in fire in a school building or damage to school property.
(2) False fire alarm – the giving of a false alarm of fire or the tampering or interference with any fire alarm system. Staff is required to notify of police and fire departments. Student consequences include suspension, possible administrative transfer and restitution for damage.

Gambling – Playing of a game of chance for stakes.

Gang Activity – Student misconduct may also constitute gang activity if it meets all of the following criteria:
(1) The student/participant belongs to or associates with
(2) a group of three or more people who band together under a common identifying symbol, sign, or name, and
(3) the participant, while under the supervision of Saint Paul Public School personnel, participates in a separate violation listed in this handbook to further an implicit or explicit goal of the gang/group. Gang activity is only an additional violation to a primary violation of another rule of student behavior.

Great Bodily Harm – Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm. For more details, see Minn. Stat. § 609.02, subd. 8.

Harassment Based on Protected Status – Harassment includes physical or verbal conduct, or communication directed at an individual that is:
(1) based on an individual’s race, creed, sex, marital status, national origin, age, color, religion, ancestry, status with respect to public assistance, familial status, sexual or affectional orientation, gender identity and expression, or disability; and
(2a) has the purpose or effect of creating an environment that is intimidating, hostile, or offensive with respect to that individual; or
(2b) otherwise adversely affects the individual’s employment, educational opportunities or access to a benefit from the school district.

Examples of gender identity harassment include refusing to use the correct name and pronoun, violating personal privacy or data privacy including “ outing” the student, physically barring or in other ways making it difficult to access facilities consistent with the student’s identity or expression.

For more details, see Minn. Stat. § 121A.03, and Board Policies 415.00, 510.00.

Hazing – Committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. Prohibited conduct includes, but is not limited to, any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body. The policy applies to student conduct occurring on or off school property and during and after school hours. When such acts occur off school property, the prohibition against hazing applies if any connection to Saint Paul Public Schools is implicit or explicit. For more details, see Board Policy 501 online at spps.org/boardpolicies. Also, see Assault.

Incapacitation Device –
(1) a device designed or intended by the manufacturer to be used to temporarily immobilize or incapacitate
(2) persons by means of electronic pulse or a current;
(3) any pain compliance device; or tear gas or tear gas derivative, or any substance intended to function similar to tear gas.
For more details see Minn. Stat § 624.731.
In-School Community Service – An action taken by school administration where a student is required to do voluntary work in order to give back to the community.

In-School Monitoring – A student may stay in school and allowed to attend classes, but must check in with designated staff at appropriate times. Staff may escort student in the hall or to the restroom when appropriate.

In-School Suspension – An action taken by school administration to prohibit a student from attending classes for a period of time (more than half of a school day) while remaining under the supervision of school staff during the school day.

Intent, Intentionally, or Intentional – “With intent to” or “intentionally” or “intentional” means that the student/actor either has a purpose to do the thing or cause the result specified, or believes that the act, if successful, will cause that result. For more details see Minn. Stat. § 609.02, subd. 9.

Intentional Damage of District Technology Resources – Willful damage to hardware, software or other equipment.

Interference/Obstruction – Any action taken to attempt to prevent a staff member from exercising his/her lawfully assigned duties, including an administrative investigation.

Interim Alternative Educational Setting (see IEP supervisor) – An action taken by school and district administration to remove the special education student to an interim alternative educational setting for not more than 45 days. An Interim Alternative Educational Setting (of up to 45 school days) can ONLY be used if a student with a disability does the following at school, on school premises or at a school function (34 CFR § 300.530(g)):

1. Carries a dangerous weapon or possesses a dangerous weapon (defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length) 18 USC §930(g)(2) (definition);
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance (34 C.F.R. § 300.530 (definition)); or
3. Inflicts serious bodily injury upon another person (defined as a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty) 18 USC §1365(h)(3)(g)(2) (definition).

Intervention – An opportunity for students to learn appropriate behavior with the goal of facilitating positive behavioral change. An intervention may involve school staff as well as support staff in the broader community.

Intimate Parts – Includes the primary genital area, groin, inner thigh, buttocks, or breast (as well as the clothing covering the immediate area of the intimate parts). For more details, see Minn. Stat. § 609.341, subds. 5, 11.

Language –
- Abusive - Student delivers verbal messages that includes offensive or threatening language.
- Inappropriate - Swearing or using words in a disrespectful way.

Leaving School Grounds, Unauthorized – Leaving school grounds during school hours without proper clearance. For more details, see Board Policy 503.03 online at spps.org/boardpolicies.

Loss of Privilege – An action taken by school administration to prevent a student from participating in an activity, or the loss of privilege as a consequence of a violation.

Medication Policy Violation – Students using or distributing prescription or non-prescription medication in an unauthorized manner. For more details, see Board Policy 516 online at spps.org/boardpolicies. See also Drugs or Controlled Substances, Possession/Use/Soliciting/Selling.
Mediation – Students who are in conflict with one another may be asked to participate in a mediation session led by a mediator to resolve the issues causing the conflict.

Mentoring Program – With parent/guardian permission, a student may voluntarily meet with a trusted adult who is available to offer support and guidance. The mentor may be a school staff person or someone from the community. A number of schools have mentor programs.

Minnesota Pupil Fair Dismissal Act – The Pupil Fair Dismissal Act is a state law that protects all students, with or without disabilities, in suspension, expulsion, and exclusion proceedings. For more details, see Minn. Stat. § 121A.40 to § 121A.56.

Office Discipline Referral (ODR) form – The SPPS standardized ODR form is aligned to the SPPS Rights and Responsibilities handbook, Infinite Campus, and SWIS. It includes the fields required in order to identify and address issues related to school-wide behavior systems issues including disproportionality.

Office-Managed Behavior – Behavior handled outside the classroom setting (using the continuum of support, both interventions and disciplinary responses, used by behavior support staff and administrators) which results in lost instructional time and is documented on the SPPS Office Discipline Referral form.

Office of Security and Emergency Management – This office is dedicated to providing safe and secure learning environments in Saint Paul Public Schools. They review and improve safety and emergency plans at all SPPS sites on an ongoing basis and supervise security staff to help prevent and solve potential problems throughout the district. The office coordinates its work with various community resources such as police, fire, and emergency responders. Contact the office by calling 651-767-8370.

Parent – Student’s legal guardian as listed in CAMPUS.

Parent/Guardian Conference/Notification – Administrative discussion or communication with a parent or guardian to address student academic or behavioral issues.

Parking Violation – Parking in an unauthorized area on school property. For more details, see Board Policy 501.02 (online at spps.org/boardpolicies.

Physical Aggression (Bodily Harm) – An intentional act by a student resulting in bodily harm.

Physical Aggression (Substantial Bodily Harm) – An intentional act by a student resulting in substantial bodily harm. It includes, but is not limited to, kicking and slapping. Students engage in serious physical contact where injury may occur.

Physical Aggression to Staff – An intentional act by a student resulting in unwelcome physical contact with a staff person. It includes, but is not limited to, pushing, slapping and intimidation.

Physical Contact (No Bodily Harm) – Students engage in non-serious but inappropriate physical contact, such and pushing and intimidation.

Police Notification – If an administrator believes that a student may have violated a law, the police may be called to file a report and/or to assist as necessary.
Possession/Use –

- **Dangerous Weapon Other Than a Firearm** – There will be zero tolerance for possession or use of a dangerous weapon by any student. A “dangerous weapon other than a firearm” is defined as
  - any device or instrument designed as a weapon and capable of producing death or great bodily harm
  - any device modified so that it may be used as a weapon and capable of producing death or great bodily harm
  - any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm
  - any fire that is used to produce death or great bodily harm
  - any knife with a blade equal to or greater than 2.5 inches in length
  - any replica firearm, BB gun, or pellet gun
  - brass knuckles

  For more details, see Minn. Stat § 609.02, subd 8 (def. great bodily harm), Minn. Stat § 609.02. subd 6 (def. of dangerous weapon), Minn. Stat § 609.66 subd. 1d 18 U. S. C. § 930(g)(2) (def. dangerous weapon), St. Paul Legis. Code § 225.01, 225.02, and Board Policy 903.00.

- **Other Weapon or Object, not a firearm and not meeting Minnesota Statute dangerous weapon definition**

- **Other weapon includes any device or instrument** – including any non-conventional weapon – that, in the manner it is used or intended to be used, is calculated or likely to produce bodily harm or substantial bodily harm, or fear of any degree of bodily harm. (Other weapons include knives with blades under 2.5 inches, fake knives, look alike weapons, box cutters, ammunition, etc.). Zero tolerance applies for possession of other weapon with use or intent to use. (def. bodily harm, substantial bodily harm) see Minn. Stat. § 609.02 subds. 7, 7a, 9, and 17; Minn. Stat. § 609.713, subd. 3(b) (def. BB gun & replica firearm); and Minn. Stat. § 624.713 (ammunition).

**Pupil Problems Committee (PPC)** – For serious behavior concerns, this committee meets to problem-solve interventions and next steps.

**Pyrotechnic Devices, Possession and/or Detonation** – A firework or firecracker.

**Racial or Religious Harassment** – Racial or religious harassment consists of physical or verbal conduct or communication relating to an individual’s race or religion when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, derogatory, or offensive employment, educational, or school district environment
2. has the purpose or effect of substantially or unreasonably interfering with an individual’s employment or education or
3. otherwise adversely affects an individual’s employment, educational opportunities, or access to a benefit from the school district.

For more details, see Minn. Stat. § 121A.03, and Board Policy 415.00.

**Racial or Religious Violence** – Racial or religious violence is a physical act of aggression or assault or the threat of aggression or assault upon another because of, or in a manner reasonably related to, race or religion. Such an act may also constitute a criminal law violation. For more details, see Minn. Stat. § 121A.03, Board Policy 415.00.

**Reckless or Careless Driving** – Driving on school property in such a manner as to endanger persons or property.

**Record and Identification Falsification** – Falsifying or altering signature or data, refusing to give proper identification or giving false identification to staff.
Referral for Other or Outside Services – Chemical use assessment, social worker, mental health, etc.

Removal from Class – An action taken by a teacher, principal or other school district employee to prohibit a student from attending class for a period of time (must be less than half of a day). Minn. Stat. § 121A.60, subd. 1. Please note: More than half of a day becomes In-School Suspension.

Repeated Misuse of District Technology Resources – Purposeful use of district technology resources in a way that violates district policy.

Restitution – Repairing harm or replacing items that were stolen or damaged or providing fair market value by way of compensation or service. It requires a student to pay for or fix damages or misappropriation of property and may be imposed separately or in addition to other sanctions.

Restorative Practice Strategies – Ways to invite students, families, community members and staff into relationship to build empathy, caring and communication skills. Restorative practices focus on building a sense of community and on the strengths and capacity of the participants. When restorative practices are successful, all feel safe in the school, because deep and lasting relationships are built among stakeholders. Repairing harm circles, restorative chats, peer mediation, and family group conferencing are examples of restorative practice strategies.

Robbery/Extortion – Obtaining of property from another by force or a threat of force. If force or threat of force is not used, see Theft.

Saturday School – School on a Saturday provided as an alternative to suspension from school.

School Attendance Matters (SAM) – This refers to the SPPS school attendance procedures. See www.spps.org/Domain/10854

School-Wide Discipline Plan (SWD) – A flowchart that distinguishes a building’s plan and procedures for handling classroom-managed and office-managed behaviors. The SPPS School-Wide Discipline Plan is a standardized template used by all SPPS schools. The template is available in Schoology for PBIS Representatives and from the district PBIS Coordinators.

Sexual Behavior – Engaging in sexual behavior including, but not limited to, sexual intercourse or sexual penetration, sexual contact, indecent exposure, or masturbation. See also Intimate Parts, Sexual Contact.

Sexual Contact – Includes the consensual and non-consensual touching of another person’s intimate parts or forcing a person to touch any person’s intimate parts, and committed with sexual or aggressive intent. For more details, see Minn. Stat. § 609.341, subds. 5, 11. See Intimate Parts.

Sexual Harassment – Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other physical or verbal conduct or communication of a sexual nature when:
(1) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual’s employment or education, or creating an intimidating, hostile, or offensive employment, educational, or school district environment
(2) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education or a benefit from the school district or
(3) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education or access to a benefit from the school district.
For more details, see Minn. Stat. § 121A.03, Board Policy 415.00.
Sexual Violence – Sexual violence is a physical act of aggression or force, or the threat of aggression or force, that involves the touching of another person’s intimate parts (as well as the clothing covering the intimate parts), or forcing a person to touch any person’s intimate parts. For more details, see Minn. Stat. § 121A.03, Minn. Stat. § 609.341, and Board Policy 415.00. Such an act may also constitute a criminal law violation. See Assault, Intimate Parts, Sexual Behavior, Sexual Contact, and Criminal Sexual Conduct.

Student Assistance Team (SAT) – A general education initiative that provides support for teachers in meeting the unique learning and behavioral challenges of their students. The goal of the SAT is to assist those students needing differentiated instruction, behavioral supports, or other interventions to assure their success in the general education setting. The focus is on prevention and the teaching of new skills in the general education setting.

Student Conference – Administrative discussion or communication with students to address their academic or behavioral issues.

Student Dress – Manner of dress or personal grooming that does not fit within the policies or guidelines practiced by the school or district. For more details, see Board Policy 501.03, and Board Policy 501.04 (online at spps.org/boardpolicies).

Substantial Bodily Harm – Bodily injury that involves a temporary but substantial disfigurement, or that causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or that causes a fracture of any bodily member. For more details, see Minn. Stat. § 609.02, subd. 7a.

Suspension – An action taken by the school administration to prohibit a student from attending school for a period of no more than 10 school days. An additional five days may be added if exclusion or expulsion is being considered, or if the student’s presence will create an immediate and substantial danger. See Minn. Stat. § 121A.41, and Board Policy 506.03.

Tardiness – Arriving late to school or to class. See also Absence.

Teasing and Name Calling – A single occurrence of teasing or name calling with or without the intent to injure, degrade, disgrace, or intimidate other individuals.

Technology Misuse/Violation – Student engages in inappropriate use of technology including and not limited to iPad, mobile device, personal electronic device, camera, computer and/or other. Students are not permitted to access the Internet via personal Wi-Fi accounts, 3G/4G cards, anonymous proxy sites, or by any other manner while on Saint Paul Public Schools property or at district functions. Student removal of a memory card or battery from a camera, phone, or mobile device while it is in the process of being confiscated is considered grounds for disciplinary action by school administration. For more details, click see Board Policy 520 Technology Usage and Safety.

Technology, Unauthorized or Inappropriate Use of District Technology Resources – Any act that violates the Board of Education’s Technology Usage and Safety Policy or constitutes an unacceptable or illegal use of the school district’s computer facilities, systems, networks or software. This includes sending or posting harmful text or images using the Internet, wireless phones, or other communications devices. This policy applies to student acts occurring on or off school property and during or after school hours using district technology resources. Student consequences include possible loss of technology access privileges, dismissal, police notification, and/or restitution. For more details, click on link: Board Policy 520.00. See Bullying, Cyberbullying, Harassment.

Theft –

- Major – Unauthorized taking/possession of the property of another including, but not limited to jackets, expensive electronics, etc.
- Minor – Unauthorized taking or possession of the property of another including, but not limited to school supplies, food, etc.
Threats – Any oral, written, or physical expression of intention to cause harm or violence to another person or another’s property. Examples of threats that violate this policy include, but are not limited to, threats to damage an individual’s property, such as a car or computer, threats to assault another individual, or non-specific threats to cause injury to another individual. Examples of expressions that may not constitute threats include, but are not limited to, jokes, sarcastic remarks, friendly banter, or frustrated outbursts made without intent. *Administrators should carefully evaluate the intent of the student making the expression and consider the factors identified on Page 12.*

Threats, Aggravated – Any threat of violence:
(i) made with the intent to cause extreme fear or panic within a substantial portion of the school community;
(ii) made with the intent to cause evacuation or lockdown of a building, place of assembly, school event, or vehicle;
(iii) made repeatedly against an individual or group; OR
(iv) any expression that does not meet the definition of threat, but is made with reckless disregard for the risk of, and actually causes, the extreme fear, panic, evacuation, or lockdown contemplated by (i) and (ii).

Examples of an aggravated threat may include, but are not limited to, a student calling in a bomb threat, a student posts on social media that the student intends to commit a school shooting, a student threatens to burn down a school building or school bus, or a student makes a joke causing the lockdown of a school building. *Administrators considering this violation should carefully review the definition of threat used by this Handbook in determining whether the appropriate violation is Threats; Threats, Aggravated; or Abusive Language.*

Tobacco and Other Tobacco Related Devices, Possession/Use – Students are prohibited from having tobacco, lighters, matches, e-cigarettes and other tobacco related devices in their possession. Possession or use of any type of tobacco product by a student will be governed by Minnesota Statutes and SPPS Board of Education policy regarding Tobacco Free Environment. Three cumulative violations will result in a referral to Ramsey County Attorney. For more details, see Board Policy 414.00 online at spps.org/boardpolicies.

Trespassing – Being physically present on school property or at a school activity after being directed to leave by a school administrator or other person lawfully responsible for the control of the premises. Being on school grounds during a dismissal or suspension period is considered trespassing. For more details see Minn. Stat. § 609.605, subd. 4; St. Paul Legis. Code §§ 283.01-283.03.

Unauthorized Use of School Property – The unauthorized or illegal use of school property for non-school sponsored activities.

Violation – Doing something prohibited by policy, law, or code of behavior.

Warning – An oral or written communication to stop a behavior that interferes with the learning environment or is unsafe.

Withdraw – Student withdrew from school district in lieu of or in conjunction with other disciplinary resolutions.

Zero Tolerance – If a student has violated a rule to which zero tolerance applies, the building principal must refer the student for expulsion or exclusion.
Appendix I – Board of Education Policies

501.00 Hazing Prohibition

1. No student, teacher, administrator, volunteer, contractor, other employee of the School District or member of the Board of Education shall plan, direct, encourage, aid or engage in hazing.
2. No teacher, administrator, volunteer, contractor, other employee of the School District or member of the Board of Education shall permit, condone or tolerate hazing.
3. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
4. Prohibition of hazing extends to behavior that occurs on or off school property during and after school hours.
5. A person who engages in an act that violates the district’s prohibition of hazing or any law prohibiting hazing in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
6. The School District shall act to investigate all complaints of hazing and will discipline any student, teacher, administrator, volunteer, contractor, other employee of the School District or member of the Board of Education who is found to have violated this policy.

Definitions

1. “Hazing” means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
   • Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
   • Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
   • Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
   • Any activity or communication that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
   • Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of the School District policies or regulations.
2. “Student organization” means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization need not be an official school organization to fall under this definition.

Reporting Procedures

1. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct that may constitute hazing shall report the alleged acts immediately to an appropriate School District official designated by this policy.
2. The building principal is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to the Human Resources Department or to the Office of the Superintendent.
3. Teachers, administrators, volunteers, contractors, other employees of the School District and members of the Board of Education shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person, who receives a report of, observes, or that that may constitute hazing, shall inform the building principal immediately.
4. Submission of a good-faith complaint or report of hazing will not affect the complainant’s or reporter’s future employment, grades or work assignments.
School District Action

1. Upon receipt of a complaint or report of hazing, the School District shall undertake or authorize an investigation by the administrator to whom the principal reports or a third party designated by the School District.

2. The School District may take immediate steps to protect the complainant, reporter, students, or others pending completion of an investigation of hazing. Upon completion of the investigation, the School District will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Disciplinary consequences shall be sufficiently severe to deter violations and to appropriately discipline prohibited behavior.

Reprisal

The School District shall discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, other employee of the School District or member of the Board of Education who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists or participates in an investigation, or against any person who testifies, assists or participates in proceedings or hearing relating to such hazing.

Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

Dissemination of Policy

This policy shall appear in each school’s student handbook and in each school’s building and staff handbooks.

Legal References:
Minn. Stat. § 121A.69

Cross References:
- Board Policy 506.00 Student Discipline
- Board Policy 415.00 Harassment, Violence and Other Offensive Behavior

Bullying Prohibition

Please see Board Policy 505.00, and related Reporting Procedure 415.00.1 online at spps.org/boardpolicies.
Appendix II – Minnesota Pupil Fair Dismissal Act

Minn. Stat. § 121A.40 CITATION.
Sections 121A.40 to 121A.56 may be cited as the "Pupil Fair Dismissal Act."

History: 1974 c 572 s 1; 1Sp1997 c 4 art 7 s 10; 1998 c 397 art 9 s 26; art 11 s 3

121A.41 DEFINITIONS.
Subdivision 1. Applicability. As used in sections 121A.40 to 121A.56, the terms defined in this section shall have the meanings assigned them.

Subd. 2. Dismissal. "Dismissal" means the denial of the current educational program to any pupil, including exclusion, expulsion, and suspension. It does not include removal from class.

Subd. 3. District. "District" means any school district.

Subd. 4. Exclusion. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a pupil for a period that shall not extend beyond the school year.

Subd. 5. Expulsion. "Expulsion" means a school board action to prohibit an enrolled pupil from further attendance for up to 12 months from the date the pupil is expelled.

Subd. 6. Parent. "Parent" means (a) one of the pupil's parents, (b) in the case of divorce or legal separation, the parent or parents with physical custody of the pupil, including a noncustodial parent with legal custody who has provided the district with a current address and telephone number, or (c) a legally appointed guardian. In the case of a pupil with a disability under the age of 18, parent may include a district-appointed surrogate parent.

Subd. 7. Pupil. (a) "Pupil" means any student:
(1) without a disability under 21 years of age; or
(2) with a disability under 21 years old who has not received a regular high school diploma or for a child with a disability who becomes 21 years old during the school year but has not received a regular high school diploma, until the end of that school year; and
(3) who remains eligible to attend a public elementary or secondary school.
(b) A "student with a disability" or a "pupil with a disability" has the same meaning as a "child with a disability" under section 125A.02.

Subd. 8. School. "School" means any school defined in section 120A.05, subdivisions 9, 11, 13, and 17.

Subd. 9. School board. "School board" means the governing body of any school district.

Subd. 10. Suspension. "Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than ten school days. If a suspension is longer than five days, the suspending administrator must provide the superintendent with a reason for the longer suspension. This definition does not apply to dismissal from school for one school day or less, except as provided in federal law for a student with a disability. Each suspension action may include a readmission plan. The readmission plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission and may not be used to extend the current suspension. Consistent with section 125A.091, subdivision 5, the readmission plan must not obligate a parent to provide a sympathomimetic medication for the parent's child as a condition of readmission. The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct, or incident of misconduct, except where the pupil will create an immediate and substantial danger to self or to surrounding persons or property, or where the district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of 15 school days.
subdivision 5, the readmission plan must not obligate a parent to provide a sympathomimetic medication for the parent's child as a condition of readmission. The school administration may not impose consecutive suspensions against the same pupil for the same course of conduct, or incident of misconduct, except where the pupil will create an immediate and substantial danger to self or to surrounding persons or property, or where the district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of 15 school days.

Subd. 11. **Alternative educational services.** "Alternative educational services" may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessment, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under section 123A.05 selected to allow the pupil to progress toward meeting graduation standards under section 120B.02, although in a different setting.

**History:** 1974 c 572 s 2; 1975 c 162 s 41; 1983 c 7 s 1; 1983 c 243 s 5 subd 1; 1986 c 444; 1991 c 265 art 3 s 38; 1994 c 647 art 4 s 36; 1995 c 226 art 3 s 9; 1Sp1997 c 4 art 7 s 11-16; 1998 c 397 art 9 s 26; art 11 s 3; 1998 c 398 art 2 s 39-41; 1999 c 123 s 1; 1Sp2001 c 6 art 3 s 1; 1Sp2003 c 9 art 3 s 1; 1Sp2005 c 5 art 11 s 2; 2009 c 96 art 3 s 1,2

**121A.42 POLICY.**
No public school shall deny due process or equal protection of the law to any public school pupil involved in a dismissal proceeding which may result in suspension, exclusion, or expulsion. History: 1974 c 572 s 3; 1998 c 397 art 9 s 26

**121A.43 EXCLUSION AND EXPULSION OF PUPILS WITH A DISABILITY.**
(a) Consistent with federal law governing days of removal and section 121A.46, school personnel may suspend a child with a disability. When a child with a disability has been suspended for more than five consecutive school days or ten cumulative school days in the same school year, and that suspension does not involve a recommendation for expulsion or exclusion or other change of placement under federal law, relevant members of the child's individualized education program team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's individualized education program. That meeting must occur as soon as possible, but no more than ten days after the sixth consecutive day of suspension or the tenth cumulative day of suspension has elapsed.

(b) A dismissal for one school day or less is a day or a partial day of suspension if the child with a disability does not receive regular or special education instruction during that dismissal period. The notice requirements under section 121A.46 do not apply to a dismissal of one day or less.

(c) A child with a disability shall be provided alternative educational services to the extent a suspension exceeds five consecutive school days.

(d) Before initiating an expulsion or exclusion under sections 121A.40 to 121A.56, the district, relevant members of the child's individualized education program team, and the child's parent shall, consistent with federal law, determine whether the child's behavior was caused by or had a direct and substantial relationship to the child's disability and whether the child's conduct was a direct result of a failure to implement the child's individualized education program. When a child with a disability who has an individualized education program is expelled under sections 121A.40 to 121A.56 for misbehavior that is not a manifestation of the child's disability, the district shall continue to provide special education and related services during the exclusion or expulsion.

**History:** 1991 c 265 art 3 s 19,38; 1Sp1997 c 4 art 7 s 17; 1998 c 397 art 9 s 26; art 11 s 3; 1999 c 123 s 2; 1999 c 241 art 2 s 2; 2009 c 96 art 3 s 3
121A.44 EXPULSION FOR POSSESSION OF FIREARM.
(a) Notwithstanding the time limitation in section 121A.41, subdivision 5, a school board must expel for a period of at least one year a pupil who is determined to have brought a firearm to school except the board may modify this expulsion requirement for a pupil on a case-by-case basis. For the purposes of this section, firearm is as defined in United States Code, title 18, section 921.
(b) Notwithstanding chapter 13, a student's expulsion or withdrawal or transfer from a school after an expulsion action is initiated against the student for a weapons violation under paragraph (a) may be disclosed by the school district initiating the expulsion proceeding. Unless the information is otherwise public, the disclosure may be made only to another school district in connection with the possible admission of the student to the other district.

History: 1995 c 226 art 3 s 10; 1998 c 397 art 9 s 26; art 11 s 3

121A.45 GROUNDS FOR DISMISSAL.
Subdivision 1. Provision of alternative programs. No school shall dismiss any pupil without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the pupil will create an immediate and substantial danger to self or to surrounding persons or property.

Subd. 2. Grounds for dismissal. A pupil may be dismissed on any of the following grounds:
(a) willful violation of any reasonable school board regulation. Such regulation must be clear and definite to provide notice to pupils that they must conform their conduct to its requirements;
(b) willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
(c) willful conduct that endangers the pupil or other pupils, or surrounding persons, including school district employees, or property of the school.

Subd. 3. Parent notification and meeting. If a pupil's total days of removal from school exceeds ten cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the pupil and the pupil's parent or guardian before subsequently removing the pupil from school and, with the permission of the parent or guardian, arrange for a mental health screening for the pupil. The district is not required to pay for the mental health screening. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the pupil assessed or diagnosed to determine whether the pupil needs treatment for a mental health disorder.

History: 1974 c 572 s 4; 1978 c 764 s 93; 1986 c 444; 1Sp1997 c 4 art 7 s 18; 1998 c 397 art 9 s 26; 2001 c 183 s 1,2; 2004 c 294 art 2 s 8

121A.46 SUSPENSION PROCEDURES.
Subdivision 1. Informal administrative conference before suspension. The school administration shall not suspend a pupil from school without an informal administrative conference with the pupil. The informal administrative conference shall take place before the suspension, except where it appears that the pupil will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension.

Subd. 2. Administrator notifies pupil of grounds for suspension. At the informal administrative conference, a school administrator shall notify the pupil of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the pupil may present the pupil's version of the facts.
Subd. 3. Written notice of grounds for suspension. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of sections 121A.40 to 121A.56, shall be personally served upon the pupil at or before the time the suspension is to take effect, and upon the pupil's parent or guardian by mail within 48 hours of the conference. The district shall make reasonable efforts to notify the parents of the suspension by telephone as soon as possible following suspension. In the event a pupil is suspended without an informal administrative conference on the grounds that the pupil will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the pupil and the pupil's parent or guardian within 48 hours of the suspension. Service by mail is complete upon mailing.

Subd. 4. Suspension pending expulsion or exclusion hearing. Notwithstanding the provisions of subdivisions 1 and 3, the pupil may be suspended pending the school board's decision in the expulsion or exclusion hearing; provided that alternative educational services are implemented to the extent that suspension exceeds five days.

History: 1974 c 572 s 5; 1978 c 764 s 94; 1986 c 444; 1Sp1997 c 4 art 7 s 19-22; 1998 c 397 art 9 s 26; art 11 s 3

121A.47 EXCLUSION AND EXPULSION PROCEDURES.

Subdivision 1. Requiring a hearing; pupil may waive hearing. No exclusion or expulsion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the pupil and parent or guardian. The action shall be initiated by the school board or its agent.

Subd. 2. Written notice. Written notice of intent to take action shall:
(a) be served upon the pupil and the pupil’s parent or guardian personally or by mail;
(b) contain a complete statement of the facts, a list of the witnesses and a description of their testimony;
(c) state the date, time, and place of the hearing;
(d) be accompanied by a copy of sections 121A.40 to 121A.56;
(e) describe alternative educational services accorded the pupil in an attempt to avoid the expulsion proceedings; and
(f) inform the pupil and parent or guardian of the right to:
   (1) have a representative of the pupil's own choosing, including legal counsel, at the hearing. The district shall advise the pupil’s parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Department of Education;
   (2) examine the pupil's records before the hearing;
   (3) present evidence; and
   (4) confront and cross-examine witnesses.

Subd. 3. Hearing schedule. The hearing shall be scheduled within ten days of the service of the written notice unless an extension, not to exceed five days, is requested for good cause by the school board, pupil, parent or guardian.

Subd. 4. Convenient time and place of hearing. The hearing shall be at a time and place reasonably convenient to pupil, parent or guardian.

Subd. 5. Closed or open hearing. The hearing shall be closed unless the pupil, parent or guardian requests an open hearing.

Subd. 6. Impartial hearer. The hearing shall take place before:
(1) an independent hearing officer;
(2) a member of the school board;
(3) a committee of the school board; or
(4) the full school board; as determined by the school board. The hearing shall be conducted in a fair and impartial manner.
Subd. 7. **Creating hearing record.** The school board shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense. Testimony shall be given under oath. The hearing officer or a member of the school board shall have the power to issue subpoenas and administer oaths.

Subd. 8. **Access to pupil’s records.** At a reasonable time prior to the hearing, the pupil, parent or guardian, or representative, shall be given access to all public school system records pertaining to the pupil, including any tests or reports upon which the proposed action may be based.

Subd. 9. **Pupil’s right to compel testimony.** The pupil, parent or guardian, or representative, shall have the right to compel the attendance of any official employee or agent of the public school system or any public employee or any other person who may have evidence upon which the proposed action may be based, and to confront and to cross-examine any witness testifying for the public school system.

Subd. 10. **Pupil’s right to present evidence and testimony.** The pupil, parent or guardian, or representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.

Subd. 11. **Pupil not compelled to testify.** The pupil cannot be compelled to testify in the dismissal proceedings.

Subd. 12. **Hearer’s recommendation limited to evidence at hearing; service within two days.** The recommendation of the hearing officer or school board member or committee shall be based solely upon substantial evidence presented at the hearing and must be made to the school board and served upon the parties within two days of the end of the hearing.

Subd. 13. **Basis of school board decision; opportunity for comment.** The school board shall base its decision upon the recommendation of the hearing officer or school board member or committee and shall render its decision at a meeting held within five days after receiving the recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer’s recommendations provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the commissioner of education of the basis and reason for the decision.

Subd. 14. **Admission or readmission plan.** (a) A school administrator shall prepare and enforce an admission or readmission plan for any pupil who is excluded or expelled from school. The plan may include measures to improve the pupil’s behavior, including completing a character education program, consistent with section 120B.232, subdivision 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the pupil of not improving the pupil’s behavior.

(b) The definition of suspension under section 121A.41, subdivision 10, does not apply to a student’s dismissal from school for one school day or less, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. A readmission plan must provide, where appropriate, alternative education services, which must not be used to extend the student’s current suspension period.

Consistent with section 125A.091, subdivision 5, a readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School officials must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school related activity, or as a basis of a charge of child abuse, child neglect or medical or educational neglect.

**History:** 1974 c 572 s 6; 1986 c 444; 1994 c 647 art 4 s 37; 1Sp1995 c 3 art 16 s 13; 1Sp1997 c 4 art 7 s 23-28; 1998 c 397 art 9 s 26; art 11 s 3; 1998 c 398 art 2 s 42; 2003 c 130 s 12; 1Sp2005 c 5 art 2 s 30
121A.48 GOOD FAITH EXCEPTION.
A violation of the technical provisions of the Pupil Fair Dismissal Act, made in good faith, is not a defense to a disciplinary procedure under the act unless the pupil can demonstrate actual prejudice as a result of the violation.

History: 1Sp1995 c 3 art 9 s 30; 1Sp1997 c 4 art 7 s 29; 1998 c 397 art 9 s 26

121A.49 APPEAL.
A party to an exclusion or expulsion decision made under sections 121A.40 to 121A.56 may appeal the decision to the commissioner of education within 21 calendar days of school board action. Upon being served with a notice of appeal, the district shall provide the commissioner and the parent or guardian with a complete copy of the hearing record within five days of its receipt of the notice of appeal. All written submissions by the appellant must be submitted and served on the respondent within ten days of its actual receipt of the transcript. All written submissions by the respondent must be submitted and served on the appellant within ten days of its actual receipt of the written submissions of the appellant. The decision of the school board must be implemented during the appeal to the commissioner.

In an appeal under this section, the commissioner may affirm the decision of the agency, may remand the decision for additional findings, or may reverse or modify the decision if the substantial rights of the petitioners have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:
(1) in violation of constitutional provisions;
(2) in excess of the statutory authority or jurisdiction of the school district;
(3) made upon unlawful procedure, except as provided in section 121A.48;
(4) affected by other error of law;
(5) unsupported by substantial evidence in view of the entire record submitted; or
(6) arbitrary or capricious.
The commissioner or the commissioner’s representative shall make a final decision based upon the record. The commissioner shall issue a decision within 30 calendar days of receiving the entire record and the parties' written submission on appeal. The commissioner's decision shall be final and binding upon the parties after the time for appeal expires under section 121A.50.

History: 1974 c 572 s 7; 1986 c 444; 1Sp1995 c 3 art 16 s 13; 1Sp1997 c 4 art 7 s 30; 1998 c 397 art 9 s 26; art 11 s 3; 1998 c 398 art 2 s 43; 2003 c 130 s 12

121A.50 JUDICIAL REVIEW.
The decision of the commissioner of education made under sections 121A.40 to 121A.56 is subject to judicial review under sections 14.63 to 14.69. The decision of the commissioner is stayed pending an appeal under this section.

History: 1974 c 572 s 8; 1983 c 247 s 60; 1Sp1995 c 3 art 16 s 13; 1Sp1997 c 4 art 7 s 31; 1998 c 397 art 9 s 26; art 11 s 3; 2003 c 130 s 12

121A.51 REPORTS TO SERVICE AGENCY.
The school board shall report any action taken pursuant to sections 121A.40 to 121A.56 to the appropriate public service agency, when the pupil is under the supervision of such agency.

History: 1974 c 572 s 9; 1998 c 397 art 9 s 26; art 11 s 3

121A.52 NONAPPLICATION OF COMPULSORY ATTENDANCE LAW.
The provisions of section 120A.22, subdivision 5, shall not apply to any pupil during a dismissal pursuant to sections 121A.40 to 121A.56.

History: 1974 c 572 s 10; 1989 c 209 art 2 s 11; 1998 c 397 art 9 s 26; art 11 s 3
121A.53 REPORT TO COMMISSIONER OF EDUCATION.
Subdivision 1. Exclusions and expulsions. The school board must report through the department electronic reporting system each exclusion or expulsion and each physical assault of a district employee by a student within 30 days of the effective date of the action or assault to the commissioner of education. This report must include a statement of alternative educational services, or other sanction, intervention, or resolution in response to the assault given the pupil and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

Subd. 2. Report. (a) The school board must include state student identification numbers of affected pupils on all dismissal and other disciplinary reports required by the department. The department must report annually to the commissioner summary data on the number of dismissals and physical assaults of district employees by a student by age, grade, gender, race, and special education status of the affected pupils. All dismissal and other disciplinary reports must be submitted through the department electronic reporting system.

(b) The commissioner must aggregate the district data reported under this section and include the aggregated data, including aggregated data on physical assaults of a district employee by a student, in the annual school performance reports under section 120B.36

History: 1974 c 572 s 11; 1Sp1995 c 3 art 16 s 13; 1Sp1997 c 4 art 7 s 32; 1998 c 397 art 9 s 26; 1998 c 398 art 2 s 44; 2003 c 130 art 5 s 31; 2005 c 130 art 2 s 32; 2003 c 130 art 12; 2016 c 189 art 25 s 28

121A.54 NOTICE OF RIGHT TO BE REINSTATED.
Whenever a pupil fails to return to school within ten school days of the termination of dismissal, a school administrator shall inform the pupil and the pupil's parents by mail of the pupil's right to attend and to be reinstated in the public school.

History: 1974 c 572 s 12; 1986 c 444; 1Sp1997 c 4 art 7 s 33; 1998 c 397 art 9 s 26

121A.55 POLICIES TO BE ESTABLISHED.
(a) The commissioner of education shall promulgate guidelines to assist each school board. Each school board shall establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of sections 121A.40 to 121A.56. The policies shall emphasize preventing dismissals through early detection of problems and shall be designed to address students' inappropriate behavior from recurring. The policies shall recognize the continuing responsibility of the school for the education of the pupil during the dismissal period. The alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress towards meeting the graduation standards adopted under section 120B.02 and help prepare the pupil for readmission.
(b) An area learning center under section 123A.05 may not prohibit an expelled or excluded pupil from enrolling solely because a district expelled or excluded the pupil. The board of the area learning center may use the provisions of the Pupil Fair Dismissal Act to exclude a pupil or to require an admission plan.
(c) Each school district shall develop a policy and report it to the commissioner on the appropriate use of peace officers and crisis teams to remove students who have an individualized education program from school grounds.

History: 1974 c 572 s 13; 1986 c 444; 1994 c 647 art 4 s 38; 1Sp1995 c 3 art 16 s 13; 1Sp1997 c 4 art 7 s 34; 1998 c 397 art 9 s 26; art 11 s 3; 1998 c 398 art 2 s 45; 1Sp2003 c 9 art 2 s 4; 1Sp2011 c 11 art 3 s 12

121A.56 APPLICATION.
Subdivision 1. Prohibition against discrimination remains in effect. Sections 121A.40 to 121A.56 shall not be deemed to amend or otherwise affect or change section 363A.13, subdivision 2.

Subd. 2. Portions of school program for credit. Sections 121A.40 to 121A.56 shall apply only to those portions of the school program for which credit is granted.

History: 1974 c 572 s 14,15; 1998 c 397 art 9 s 26; art 11 s 3
Resources and Assistance

Equal Opportunity/Non-Discrimination Policy
SPPS does not discriminate on the basis of race, creed, sex, marital status, national origin, immigration status, age, color, religion, ancestry, status with regard to public assistance, socio-economic status, sexual or affectional orientation, gender identity and expression, familial status, physical appearance or disability. Inquiries regarding our non-discrimination policies should be directed to 360 Colborne Street, Saint Paul, MN 55102 or call 651-767-8145.

To report discrimination, harassment or other violations:
● Employees – contact Human Resources at 651-767-8200
● Students – first contact the principal of the school/program, and call Cedrick Baker at 651-767-8103 to report discrimination, including Title IX (sexual discrimination) violations, or violations of student human rights. If the alleged harasser is a student, first report the incident to the school principal. Another option is to report the conduct to the Assistant Superintendent for the school at 651-767-8100.

Reporting procedures can be found online under Board Policy/Procedure 415.00.1 at spps.org/boardpolicies.

Report form can be found online under 415.00.1F1 at spps.org/boardpolicies.

Students with Disabilities

Saint Paul Public School Resources
● Special Education Department: 651-767-8321
● 504 Coordinator: 651-767-8321

Non-Saint Paul Public School Resources
● MDE (MN Department of Education): 651-582-8616
● PACER (Parent Advocacy Coalition for Education Rights): 800-537-2237

School Ombudsperson
The SPPS ombudsperson helps students, parents and community members resolve school issues if they are unable to reach a satisfactory solution working with school administrators and staff members. The ombudsperson can help:
● Negotiate a solution with a teacher or administrator
● Communicate more effectively with a teacher or administrator
● Understand a school policy, regulation or procedure
● Connect the person with the appropriate school district staff member or office
● Gathering general information about the school district

Contact the Ombudsperson by calling 651-767-8394 or online at www.spps.org/ombudsperson.
Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing

This information will help parents/guardians make informed decisions that benefit their children, schools, and communities.

Why statewide testing?
Minnesota values its educational system and the professionalism of its educators. Minnesota educators created the academic standards which are rigorous and prepare our students for career and college.

The statewide assessments are how we as a state measure that curriculum and daily instruction in our schools are being aligned to the academic standards, ensuring all students are being provided an equitable education. Statewide assessment results are just one tool to monitor that we are providing our children with the education that will ensure a strong workforce and knowledgeable citizens.

Why does participation matter?
A statewide assessment is just one measure of your student’s achievement, but your student’s participation is important to understand how effectively the education at your student’s school is aligned to the academic standards.

- In Minnesota’s implementation of the federal Every Student Succeeds Act, a student not participating in the statewide assessments will not receive an individual score and will be counted as “not proficient” for the purpose of school and district accountability, including opportunities for support and recognition.
- Students who receive a college-ready score on the high school MCA are not required to take a remedial, noncredit course at a Minnesota State college or university in the corresponding subject area, potentially saving the student time and money.
- Educators and policy makers use information from assessments to make decisions about resources and support provided.
- Parents and the general public use assessment information to compare schools and make decisions about where to purchase a home or to enroll their children.
- School performance results that are publicly released and used by families and communities, are negatively impacted if students do not participate in assessments.

Academic Standards and Assessments

What are academic standards?
The Minnesota K–12 Academic Standards are the statewide expectations for student academic achievement. They identify the knowledge and skills that all students must achieve in a content area and are organized by grade level. School districts determine how students will meet the standards by developing courses and curriculum aligned to the academic standards.

What is the relationship between academic statewide assessments and the academic standards?
The statewide assessments in mathematics, reading, and science are used to measure whether students, and their school and district, are meeting the academic standards. Statewide assessments are one measure of how well students are doing on the content that is part of their daily instruction. It is also a measure of how well schools and districts are doing in aligning their curriculum and teaching the standards.

<table>
<thead>
<tr>
<th>Minnesota Comprehensive Assessment (MCA) and Minnesota Test of Academic Skills (MTAS)</th>
<th>ACCESS and Alternate ACCESS for English Learners</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Based on the Minnesota Academic Standards; given annually in grades 3–8 and high school in reading and mathematics; given annually in grades 5, 8 and high school for science.</td>
<td>- Based on the WIDA English Language Development Standards.</td>
</tr>
<tr>
<td>- Majority of students take the MCA.</td>
<td>- Given annually to English learners in grades K–12 in reading, writing, listening and speaking.</td>
</tr>
<tr>
<td>- MTAS is an option for students with the most significant cognitive disabilities.</td>
<td>- Majority of English learners take ACCESS for ELLs.</td>
</tr>
<tr>
<td></td>
<td>- Alternate ACCESS for ELLs is an option for English learners with the most significant cognitive disabilities.</td>
</tr>
</tbody>
</table>

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Why are these assessments effective?

Minnesota believes that in order to effectively measure what students are learning, testing needs to be more than answering multiple choice questions.

- To answer questions, students may need to type in answers, drag and drop images and words, or manipulate a graph or information.
- The Reading and Mathematics MCAs are adaptive, which means the answers a student provides determine the next questions the student will answer.
- The Science MCA incorporates simulations, which require students to perform experiments in order to answer questions.

All of these provide students the opportunity to apply critical thinking needed for success in college and careers and show what they know and can do.

Are there limits on local testing?

As stated in Minnesota Statutes, section 120B.301, for students in grades 1–6, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 10 hours per school year. For students in grades 7–12, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 11 hours per school year. These limits do not include statewide testing.

In an effort to encourage transparency, the statute also requires a district or charter school, before the first day of each school year, to publish on its website a comprehensive calendar of standardized tests to be administered in the district or charter school during that school year. The calendar must provide the rationale for administering each assessment and indicate whether the assessment is a local option or required by state or federal law.

What if I choose not to have my student participate?

Parents/guardians have a right to not have their student participate in state-required standardized assessments. Minnesota Statutes require the department to provide information about statewide assessments to parents/guardians and include a form to complete if they refuse to have their student participate. This form follows on the next page and includes an area to note the reason for the refusal to participate. Your student’s district may require additional information.

A school or district may have additional consequences beyond those mentioned in this document for a student not participating in the state-required standardized assessments. There may also be consequences for not participating in assessments selected and administered at the local level. Please contact your school for more information regarding local decisions.

When do students take the assessments?

Each school sets their testing schedule within the state testing window. Contact your student’s school for information on specific testing days.

- The MCA and MTAS testing window begins in March and ends in May.
- The ACCESS and Alternate ACCESS for ELLs testing window begins at the end of January and ends in March.

When do I receive my student’s results?

Each summer, individual student reports are sent to school districts and are provided to families no later than fall conferences. The reports can be used to see your child’s progress and help guide future instruction.

How much time is spent on testing?

Statewide assessments are taken one time each year; the majority of students test online. On average, the amount of time spent taking statewide assessments is less than 1 percent of instructional time in a school year. The assessments are not timed and students can continue working as long as they need.

Why does it seem like my student is taking more tests?

The statewide required tests are limited to those outlined in this document. Many districts make local decisions to administer additional tests that the state does not require. Contact your district for more information.

Where do I get more information?

Students and families can find out more on our Statewide Testing page (education.state.mn.us > Students and Families > Programs and Initiatives > Statewide Testing).
Parent/Guardian Refusal for Student Participation in Statewide Assessments

To opt out of statewide assessments, the parent/guardian must complete this form and return it to the student’s school.

To best support school district planning, please submit this form to the student’s school no later than January 15 of the academic school year. For students who enroll after a statewide testing window begins, please submit the form within two weeks of enrollment. A new refusal form is required each year parents/guardians wish to opt the student out of statewide assessments.

Date__________________(This form is only applicable for the 20___ to 20___ school year.)

Student’s Legal First Name______________________________________ Student’s Legal Middle Initial________

Student’s Legal Last Name______________________________________ Student’s Date of Birth________

Student’s District/School________________________________________ Grade________

Please initial to indicate you have received and reviewed information about statewide testing.

_____ I received information on statewide assessments and choose to opt my student out. MDE provides the Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing on the MDE website (Students and Families > Programs and Initiatives > Statewide Testing).

Reason for refusal:

Please indicate the statewide assessment(s) you are opting the student out of this school year:

_____ MCA/MTAS Reading _____ MCA/MTAS Science

_____ MCA/MTAS Mathematics _____ ACCESS or Alternate ACCESS for ELLs

Contact your school or district for the form to opt out of local assessments.

I understand that by signing this form, my student will lose one opportunity to receive a qualifying score that could potentially save him/her time and money by not having to take remedial, non-credit courses at a Minnesota State college or university. My student will not receive an individual score and will be counted as “not proficient” for the purpose of school and district accountability. My school and I may lose valuable information about how well my student is progressing academically. In addition, refusing to participate in statewide assessments may impact the school, district, and state’s efforts to equitably distribute resources and support student learning.

Parent/Guardian Name (print) __________________________________________

Parent/Guardian Signature ____________________________________________

To be completed by school or district staff only. Student ID or MARSS Number ____________

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